

18
No. 95-2024

Supreme Court, U.S.
FILED
NOV 27 1996

IN THE
Supreme Court of the United States
OCTOBER TERM, 1996

C. MARTIN LAWYER, III,
v. *Appellant,*

THE UNITED STATES DEPARTMENT OF JUSTICE, *et al.*,
Appellees.

**On Appeal from the United States District Court
for the Middle District of Florida**

JOINT APPENDIX

ROBERT J. SHAPIRO*
P.O. Box 270133
Tampa, Florida 33688-0133
(813) 265-1117
Counsel for Appellant

RICHARD G. TARANTO*
Farr & Taranto
2445 M Street, N.W., Suite 225
Washington, D.C. 20037-1435
(202) 775-0184
Counsel for State Appellees

WALTER DELLINGER*
Acting Solicitor General
Department of Justice
Washington, D.C. 20530-0001
(202) 514-2217
Counsel for the United States

ROBERT B. MCDUFF*
767 North Congress Street
Jackson, Mississippi 39202-3009
(601) 969-0802
Counsel for Private Appellees

* Counsel of Record

[Additional Counsel Listed on Inside Cover]

JURISDICTIONAL STATEMENT FILED JUNE 17, 1996
PROBABLE JURISDICTION NOTED OCTOBER 15, 1996

2/3 pp

PETER ANTONACCI
Deputy Attorney General
GEORGE L. WAAS
Assistant Attorney General
Department of Legal Affairs
Tallahassee, Florida 32399-1050
(904) 488-1573
Counsel for the State of Florida

B. ELAINE NEW
Office of General Counsel
Florida House of Representatives
Tallahassee, Florida 32399-1300
(904) 488-7631
Counsel for the Florida House

JAMES M. LANDIS
TERRI GILLIS TUCKER
Foley and Lardner
100 N. Tampa Street, Suite 2700
Tampa, Florida 33602-5810
(813) 229-2300
Counsel for Robert Scott, et al.

STEPHEN N. ZACK
Zack, Sparber, Kosnitzky, P.A.
100 S.E. Second Street, Suite 2800
Miami, Florida 33131-2144
(305) 539-8400
Counsel for the Florida Senate

DONALD L. BELL
DAVID TEPPER
Office of General Counsel
Florida Department of State
Tallahassee, Florida 32399-0250
(904) 488-3684
Counsel for the Secretary of State

BEN H. HILL, III
Hill, Ward & Henderson
101 E. Kennedy Blvd., Suite 3700
Tampa, Florida 33602-5156
(813) 221-3900
Counsel for the Florida Senate

BRENDA WRIGHT
TODD A. COX
Lawyers' Committee for
Civil Rights Under Law
1450 G Street N.W., Suite 400
Washington, D.C. 20005-2001
(202) 662-8600
Counsel for Moease Smith, et al.

DIEGO RODRIGUEZ
Committee on Regulated Industries
The Florida Senate
Tallahassee, Florida 32399-1100
(904) 487-5957
Counsel for the Florida Senate

TABLE OF CONTENTS

ITEM	PAGE
1. Selected District Docket Entries	1
2. Complaint	11
3. District Court Order dated September 30, 1995	16
4. Settlement Agreement	17
5. Defendants' Filing dated November 17, 1995	23
Declaration of John Guthrie	25
TAB 1: Population Shifts Relative to Current [1992] Senate Districts	37
TAB 2: 1990 Census of Population	39
TAB 3: 1994 Voter Registration	42
TAB 4: Number of Counties per Senate District	45
TAB 5: Relationships between Districts and Counties ..	47
TAB 6: Distinctive Socioeconomic Characteristics of Senate District 21	49
TAB 7: Distinctive Socioeconomic Characteristics of Senate District 21 — Controlling for Race	51
TAB 8: Mobility of Voters in Senate District 22	52
TAB 9: District Maps	53
TAB 10: Unusually-Shaped Districts	60
TAB 11: Comparison of District 21 in Settlement Plan and Lawyer Plan	76
TAB 12: Municipal Boundaries	78
TAB 13: Contiguity across Bodies of Water	81
TAB 14: Bill Language and Statistics for Plan 386	84

TABLE OF CONTENTS (Continued)

ITEM	PAGE
5. Defendants' Filing dated November 17, 1995 (Continued)	
Affidavit of William DeGrove	126
Supplemental Declaration of Dr. Allan J. Lichtman	129
Affidavit of Peter Rudy Wallace	137
Declaration of Mr. Michael Cochran	139
Declaration of Charles B. Wells	144
Declaration of Frederick B. Karl	146
Declaration of Clarence Fort	149
Declaration of Edward Kirkland	152
6. Transcript of November 20, 1995, Hearing	155
7. District Court's March 19, 1996, Order	195

ITEM 1: SELECTED DISTRICT DOCKET ENTRIES

U.S. District Court Middle District of Florida (Tampa) CIVIL DOCKET FOR CASE # 94-CV-622

Scott, et al. v. U.S. Dept. of Justice, et al.	Filed: 04/14/94
Assigned to: Judge Steven D. Merryday	
Demand: \$0,000	Nature of Suit: 441
Lead Docket: None	Jurisdiction: U.S. Defendant
Dkt# in other court: None	
Cause: 28:1331	Fed. Question: Civil Rights Violation
THE FLORIDA SENATE, through SENATOR JIM SCOTT in his official capacity as President of the Florida Senate intervenor	Stephen N. Zack Zack, Hanzman, Ponce, Tucker, Korge & Gillespie, P.A. 100 SE Second St. International Place, Suite 2800 Miami, FL 33131 305/539-8400 Benjamin H. Hill, III Hill, Ward & Henderson, P.A. 101 E. Kennedy Blvd., Suite 3700 P.O. Box 2231 Tampa, FL 33601 813/221-3900
JAMES T. HARGRETT, JR. intervenor	Robert B. McDuff Law Office of Robert B. McDuff 771 N. Congress St. Jackson, MS 39202 601/969-0802
MOEASE SMITH intervenor	Brenda Wright Lawyers' Committee for Civil Rights Under Law 1450 G St., N.W., Suite 400 Washington, DC 20005 202/662-8600

WILMATEEN CHANDLER intervenor	Brenda Wright
VIVIAN KELLY intervenor	Brenda Wright
JESSE NIPPER intervenor	Brenda Wright
VICTORIA BROWN intervenor	Brenda Wright
ANTHONY CARSWELL intervenor	Brenda Wright
PATRICE CARSWELL intervenor	Brenda Wright
KATHERINE CLARK intervenor	Brenda Wright
EARNEST CLARK intervenor	Brenda Wright
CLARENCE FORT intervenor	Brenda Wright
YVONNE FORT intervenor	Brenda Wright
SARAH GOODING intervenor	Brenda Wright
MARY HOBLEY intervenor	Brenda Wright
EMANUEL JOHNSON intervenor	Brenda Wright
KATHY MALONE intervenor	Brenda Wright
NADINE MCLEOD intervenor	Brenda Wright
ELIZABETH MCMILLAN intervenor	Brenda Wright

IRMA RODRIGUEZ intervenor	Brenda Wright
RUBIN RODRIGUEZ intervenor	Brenda Wright
CARL SMALL intervenor	Brenda Wright
NINA SMALL intervenor	Brenda Wright
BEN SMITH, JR. intervenor	Brenda Wright
GERALDINE TILLMON intervenor	Brenda Wright
MICHAEL TILLMON intervenor	Brenda Wright
JULIA TIMMONS intervenor	Brenda Wright
HAROLD WILLIAMS intervenor	Brenda Wright
GEORGE YOUNG intervenor	Brenda Wright
<hr/>	
ROBERT SCOTT, individual plaintiff	James Maxwell Landis Foley & Lardner 100 N. Tampa St., Suite 2700 P.O. Box 3391 Tampa, FL 33601-3391 813/229-2300
PARKE HERBERT, individual plaintiff	James Maxwell Landis
C. MARTIN LAWYER, III, individual plaintiff	James Maxwell Landis

EDNA SIMS, individual plaintiff	James Maxwell Landis
EARL JAMES, individual plaintiff	James Maxwell Landis
ROSALIE M. SERRANO, individual plaintiff	James Maxwell Landis
v.	
THE UNITED STATES DEPARTMENT OF JUSTICE, by and through Janet Reno defendant	Steven J. Mulroy Richard B. Jerome U.S. Dept. of Justice Voting Section, Civil Rights Section P.O. Box 66128 Washington, DC 20035-6128 202/514-9821
JANET RENO, Attorney General of the United States defendant	Steven J. Mulroy
STATE OF FLORIDA, by and through Robert Butterworth defendant	George Lee Waas Peter Antonacci Attorney General's Office Dept. of Legal Affairs The Capitol, Suite PL-01 Tallahassee, FL 32399-1050 904/488-1573
ROBERT BUTTERWORTH, Attorney General of the State of Florida defendant	

THE FLORIDA SENATE movant	Stephen N. Zack Zack, Hanzman, Ponce, Tucker, Korge & Gillespie, P.A. 100 SE Second St. International Place, Suite 2800 Miami, FL 33131 305/539-8400
THE FLORIDA HOUSE OF REPRESENTATIVES movant	Donald B. Verrilli, Jr. Jenner & Block 601 13th St. N.W. Washington, DC 20005 202/639-6010 B. Elaine New Florida House of Representatives 417 The Capitol Tallahassee, FL 32399 904/488-0350
HELEN GORDON DAVIS, former State Senator movant	Parker D. Thomson Thomson, Muraro, Razook & Hart, P.A. One SE Third Ave. 1700 Sun Bank Int'l Center Miami, FL 33131 305/350-7200
FLORIDA STATE CON- FERENCE OF NAACP BRANCHES movant	Charles Gilbert Burr, III Charles G. Burr, P.A. 442 W. Kennedy Blvd. Suite 300 Tampa, FL 33606 813/253-2010
<hr/>	
SANDRA BARRINGER MORTHAM, Secretary of State, in her capacity as chief elections officer movant	Donald L. Bell Florida Dept. of State Office of the Secretary LL-10, The Capitol Tallahassee, FL 32399-0250 904/488-3684

4/14/94 1 COMPLAINT filed; exhibit; Three-Judge District Court requested.

5/2/94 7 ORDER: DESIGNATION OF THREE-JUDGE COURT. (Hon. Gerald Bard Tjoflat, Chief Circuit Judge)

1/30/95 -- ENDORSED ORDER granting [33-1] motion for leave to intervene as defendants by The Florida Senate. (Signed by Judge Steven D. Merryday)

7/14/95 78 ORDER granting [44-1] motion to intervene by Moease Smith, Wilmateen Chandler, Vivian Kelly, Jesse Nipper, Victoria Brown, Anthony Carswell, Patrice Carswell, Katherine Clark, Earnest Clark, Clarence Fort, Yvonne Fort, Sarah Gooding, Mary Hoble, Emanuel Johnson, Kathy Malone, Nadine McLeod, Elizabeth McMillan, Irma Rodriguez, Rubin Rodriguez, Carl Small, Nina Small, Ben Smith, Jr., Geraldine Tillmon, Michael Tillmon, Julia Timmons, Harold Williams, George Young; granting [39-1] motion to intervene by Senator James T. Hargrett, Jr.; set dispositive motion filing deadline for 8/1/95; set pretrial statement and objections to exhibit and witness lists deadline for 9/8/95; set pretrial conference on "liability" for 9/18/95. Scheduled for Magistrate Judge Elizabeth A. Jenkins; this action is submitted to mediation; the Magistrate Judge is relieved of any further responsibility in this case; responses to dispositive motions shall be filed on or before 08/11/95; the parties shall exchange proposed pretrial stipulations on or before 08/23/95; the parties shall exchange witness and exhibit lists on or before 08/31/95; pretrial briefs on "liability" are due on or before 09/22/95; a trial on "liability" before the three-judge panel will commence on 09/25/95; a pretrial conference on "remedies" will occur on 11/14/95; pretrial briefs on "remedies" are due on or before 11/17/95; and the trial on "remedies" before the three-judge panel will commence as

soon as possible after the November 14 pretrial conference, but in no event later than January 1996; every 30 days following entry of this order, the parties shall file a status report. (Signed by Judge Steven D. Merryday)

7/14/95 79 ORDER referring case to Lawrence G. Mathews, Jr., as mediator; the mediation conference shall commence no later than 08/15/95 and shall conclude no later than 08/31/95. Lead Counsel to coordinate dates. (Signed by Judge Steven D. Merryday)

7/14/95 -- Bench trial before the three-judge panel set on 9/25/95.

7/26/95 97 Amended ORDER referring case to mediation and referring case to Lawrence G. Mathews, Jr., as mediator. Mediation shall commence no later than 8/15/95 and conclude no later than 8/31/95. Lead Counsel, James Landis, to coordinate dates. (Signed by Judge Steven D. Merryday)

9/6/95 131 NOTICE OF SETTLEMENT AGREEMENT filed by Robert Scott, Parke Herbert, C. Martin Lawyer, III, Edna Sims, Earl James, Rosalie M. Serrano, U.S. Dept of Justice, Janet Reno, State of [Florida,] The Florida Senate, James T. Hargrett, Jr., Moease Smith, Jr., Sandra Barringer Mortham.

9/12/95 138 MOTION by C. Martin Lawyer, III, with memorandum in support to disapprove settlement agreement.

9/27/95 150 MINUTE ENTRY: status conference held on 9/27/95 before Judges Tjoflat, Nimmons and Merryday. Order forthcoming.

10/2/95 152 ORDER directing return of letter to Judge Merryday from Howard Forman, dated 9/21/95, for failure to comply with local and Federal Rules. (Signed by Judge Steven D. Merryday)

10/20/95 162 JOINT MOTION by C. Martin Lawyer, III, to substitute attorney.

10/26/95 165 MINUTE ENTRY: status conference held on 10/26/95 before Judge Merryday. Court Reporter: Carol Jacobs. Court set pretrial conference for 1:30, 11/2/95, and advised counsel to clear calendars for week of 11/20/95 for possible trial date.

11/2/95 169 Settlement Agreement, with attachments, filed in open court, by Robert Scott, Parke Herbert, C. Martin Lawyer, III, Edna Sims, Earl James, Rosalie M. Serrano.

11/2/95 171 MINUTE ENTRY: status conference held on 11/2/95 before Judge Merryday. Court Reporter: Carol Jacobs. Fairness Hearing scheduled for 11/20/95 at 9:30 in Courtroom.

11/3/95 172 MOTION by C. Martin Lawyer, III, with memorandum in support to approve proposed redistricting plan "lawyer-sen."

11/3/95 173 MOTION by C. Martin Lawyer, III, with memorandum in support for partial summary judgment before considering approval *vel non* of proposed settlement agreement.

11/7/95 174 NOTICE of filing 3 original maps for attachment to previous motion, by C. Martin Lawyer, III.

11/8/95 175 NOTICE of fairness hearing filed by counsel pursuant to the directions from the Court at a pretrial conference held before Judge Merryday on 11/2/95. Copies of the proposed settlement plan submitted for public inspection at the Office of the Clerk. Set settlement conference for 9:30, 11/20/95. Scheduled for a three-judge panel including Judge Steven D. Merryday.

11/13/95 178 MOTION by C. Martin Lawyer, III, with memorandum in support to disapprove 11/2/95 "settlement agreement."

11/17/95 187 NOTICE of filing map of settlement plan and statistical data, by The Florida Senate.

11/17/95 188 NOTICE of filing declarations and affidavits of defendants and intervenors in support of settlement agreement of 11/2/95, except Plaintiff C. Martin Lawyer, (attached) by The Florida Senate. See separate folder for this document.

11/20/95 190 MINUTE ENTRY: Fairness Hearing held on 11/20/95 before Judges Tjoflat, Merryday and Nimmons; taken under advisement.

11/20/95 193 PROOF OF PUBLICATION re: Fairness Hearing, filed in open court at the hearing 11/20/95, by The Florida Senate. Newspaper: eleven newspapers in Florida, as listed herein. Date(s) of publication: Nov. 10, 11 and 17, 1995. (Retained in chambers)

3/19/96 196 FINAL ORDER granting [185-1] joint motion to approve settlement; denying [178-1] motion to disapprove 11/2/95 "settlement agreement"; denying [173-1] motion for partial summary judgment before considering approval *vel non* of proposed settlement agreement; denying [172-1] motion to approve proposed redistricting plan "lawyer-sen"; denying [167-1] motion to examine witnesses, introduce evidence, and raise objections under certain defined circumstances; denying [162-1] joint motion to substitute attorney; denying motion to disapprove settlement agreement; denying [126-1] motion for leave to file affidavit of Lisa Handley; denying [113-1] motion for summary judgment on standing grounds; denying [103-1] motion for summary judgment; denying [72-1] motion to compel responses to interrogatories; denying [60-1] motion to three-judge court to decline jurisdiction; denying [52-1] motion to dismiss; denying [52-2] motion to transfer case. Signed by Judge Steven D. Merryday, for the Panel)

3/19/96 -- CASE CLOSED.
 4/16/96 205 NOTICE OF APPEAL of [196-1] order by C. Martin
 Lawyer, III, pursuant to Rule 18 of the Supreme
 Court Rules. (no fee)
 6/24/96 210 NOTICE of filing Martin Lawyer's appeal, by Clerk,
 Supreme Court of the United States.

[END OF DOCKET: 8:94cv622]

ITEM 2: COMPLAINT

IN THE UNITED STATES DISTRICT COURT
 MIDDLE DISTRICT OF FLORIDA
 TAMPA DIVISION

ROBERT SCOTT, PARKE HERBERT,
 C. MARTIN LAWYER, III, EDNA SIMS,
 EARL JAMES, and ROSALIE M. SERRANO,
 individuals,

Plaintiffs,

vs.

CASE No. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT OF
 JUSTICE, by and through JANET RENO,
 Attorney General of the United States;
 and THE STATE OF FLORIDA, by and
 through ROBERT BUTTERWORTH,
 Attorney General of the State of Florida,

Defendants.

THREE JUDGE
 DISTRICT COURT
 REQUESTED

COMPLAINT

Plaintiffs, ROBERT SCOTT, PARKE HERBERT, C. MARTIN LAWYER,
 III, EDNA SIMS, EARL JAMES, and ROSALIE M. SERRANO, (together
 "Plaintiffs"), by and through their undersigned counsel, hereby sue
 THE UNITED STATES DEPARTMENT OF JUSTICE, by and through
 JANET RENO, Attorney General of the United States and THE STATE
 OF FLORIDA, by and through ROBERT BUTTERWORTH, Attorney
 General of the State of Florida, (together "Defendants"), and state:

GENERAL ALLEGATIONS

1. Plaintiffs are individuals residing and registered to vote in Hillsborough County, Florida.
2. Defendant Janet Reno ("Reno") is the Attorney General of the United States, and accordingly, is head of the United States Department of Justice.

3. Defendant Robert A. Butterworth ("Butterworth") is the Attorney General of the State of Florida.

JURISDICTION

4. This is an action for a declaratory judgment that the Reapportionment Plan for the State of Florida as adopted by the Florida Legislature is unconstitutional under the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution, and for injunctive relief mandating that the Florida Legislature reconfigure the senatorial districts in and around Hillsborough County, Florida. This Court has jurisdiction over this section pursuant to 28 U.S.C. §1331 (1993), 28 U.S.C. §1343(1), (2), (3), and (4) (1993) and 28 U.S.C. §2201 *et seq.*

THREE JUDGE PANEL

5. Convocation of a three-judge panel is required by 28 U.S.C. §2284(a) because this action challenges the constitutionality of the apportionment of senatorial districts for the State of Florida.

SPECIFIC ALLEGATIONS

6. In response to the results of the 1990 decennial census, the State of Florida began the process of redrawing its congressional and senatorial districts. The United States Department of Justice refused to grant preclearance under Section 5 of the Voting Rights Act to the original plan proposed for the Senate redistricting in and around Hillsborough County, Florida. Subsequently, on or about June 25, 1992, the State of Florida adopted redistricting Plan 330 for the Florida Senate (herein, the "Reapportionment Plan"). The Department of Justice entered no objection to the Reapportionment Plan. A true and correct copy of the map of the new senatorial districts for Hillsborough County and the surrounding area is attached hereto as Exhibit "A".

7. Prior to the institution of the Reapportionment Plan, Florida Senate District 21 encompassed most of the area within the city limits of Tampa, in Hillsborough County, Florida.

8. As a part of the Reapportionment Plan, however, the State of Florida completely reconfigured the senatorial districts which include

Hillsborough, Pinellas, Polk, Manatee, Pasco and Hernando Counties, Florida.

9. Part of District 21 in Hillsborough County was gerrymandered on one side of several streets to prevent potential opponents from opposing the author of the plan.

10. Under the Reapportionment Plan, Senate District 21 now runs in a snake-like fashion from northern Hillsborough County through Polk County, south into Manatee County, and back up into Pinellas County, deliberately encompassing only predominately African-American and Hispanic neighborhoods. *See* Exhibit "A".

11. Senate District 21, which was drastically reconfigured by the Reapportionment Plan, does not comport with traditional districting principles of compactness and contiguity, as it is a long, narrow, winding strip which spans Tampa Bay, four counties, and countless different communities, and at some points is no wider than a road.

12. Senate District 21 was deliberately drawn in an irregular fashion in order to ensure that at least fifty-one percent (51%) of the population of the district was comprised of minorities. Senate District 21 was not drawn to encompass members of one community, but rather was drawn specifically to encompass members of minority groups with divergent interests residing in several different communities. The shape of the District results in a political unit incapable of meaningful representation. Accordingly, the Reapportionment Plan does not create districts based on commonality of interests, but rather based only upon commonality of race.

13. The configuration produced by the Reapportionment Plan is so irregular that it clearly cannot rationally be understood as anything other than an attempt to segregate the races for purposes of voting. Prior to the Reapportionment Plan, the County of Hillsborough was represented by 3 Senators, two of whose districts were solely contained in Hillsborough County and one whose district contained a minor portion of Pasco County. However, because of the reconfiguration of District 21, Hillsborough County is now represented by 6 Senators, all of whom have only a portion of Hillsborough County including one Senate district which contains only 359 residents of Hillsborough County and one which contains no residents of

Hillsborough County. Some of the areas now represented by Hillsborough County Senators have purely agricultural or rural interests, while the majority of Hillsborough County is urban.

14. The arbitrary configuration of districts produced by the Reapportionment Plan is not narrowly tailored to promote a compelling state interest, and accordingly constitutes racial gerrymandering in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

15. The citizens of Hillsborough County have been deprived of their right, under the Fourteenth Amendment to the United States Constitution, to be free from purposeful discrimination by the State on the basis of race. Deprivation of such a fundamental right clearly constitutes irreparable injury, for which injunctive relief should lie.

16. Plaintiffs and other citizens of Hillsborough County, Florida have no adequate remedy at law, and therefore are entitled to injunctive relief.

17. Plaintiffs have retained the services of the law firm of Foley & Lardner to represent them in this matter.

WHEREFORE, Plaintiffs respectfully request that this Court

(a) enter a Declaratory Judgment that the Reapportionment Plan violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution;

(b) enter an Injunction prohibiting the State of Florida from holding any future Senatorial elections based on the 1992 redistricting plan;

(c) Enter an order requiring the State of Florida to reconfigure the Senatorial Districts in the State of Florida to comport with traditional districting principals of contiguity, compactness, and communities of interest, thereby eliminating the racial gerrymandering which brought about the current senatorial districting plan; and

(d) Enter an Order awarding the Plaintiffs reasonable attorneys' fees, costs incurred in the maintenance of this action pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412 or as otherwise

authorized by law, together with any other relief the Court deems appropriate under the circumstances.

Dated: April 14, 1994

/s/ James M. Landis
James M. Landis, Esq.
Trial Counsel
Fla. Bar No. 0116760
Terri Gillis Tucker, Esq.
Trial Counsel
Fla. Bar No. 0962503
Foley & Lardner
100 North Tampa Street
Suite 2700
Tampa, Florida 33602
(813) 229-2300
(813) 221-4210 (FAX)
Attorneys for Plaintiffs

EXHIBIT A

* * * *

[Note: Exhibit A consists of an 8½ by 11-inch map depicting the 1992 Senate Districts (Plan 330) in Hillsborough County and the surrounding area (see p. 58 for a similar map).]

**ITEM 3: DISTRICT COURT ORDER
DATED SEPTEMBER 30, 1995**

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v. CASE No. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, et al.,
Defendants.

ORDER

Correspondence dated September 21, 1995, from Howard Forman, Florida Senator from District 32 was received in judge's chambers. Upon review, the document is found to be deficient in the following respects:

- ✓ Local Rule Requirements: The enclosed document does not comply with Local Rule 3.01(f): "All applications to the Court (i) requesting relief in any form . . . shall not be addressed or presented to the Court in the form of a letter or the like. . . ."
- ✓ Federal Rules of Civil Procedure Requirement: The enclosed document does not comply with Rule 5: "[E]very notice . . . shall be served upon each of the parties. . . . All papers . . . required to be served upon a party, together with a certificate of service shall be filed¹ with the court."
- ✓ The Clerk is directed to return this pleading to Mr. Forman.

ORDERED in Tampa, Florida, on September 30th, 1995.

/s/ Steven D. Merryday
Steven D. Merryday
UNITED STATES DISTRICT JUDGE

¹ "The filing of papers with the court . . . shall be made by filing them with the clerk of the court. . . ." F.R.Civ.P. 5(e).

ITEM 4: SETTLEMENT AGREEMENT

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v. CASE No. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT OF JUSTICE,
by and through JANET RENO, Attorney General,
et al.,
Defendants, and

THE FLORIDA SENATE, through SENATOR JIM SCOTT
in his official capacity as President of the Florida Senate,
Defendant-Intervenor.

SETTLEMENT AGREEMENT

1. The plaintiffs in this case challenge the constitutionality of Senate District 21 in the current Florida State Senate redistricting plan ("Plan 330"), alleging that it is a racial gerrymander under the cause of action recognized by the United States Supreme Court in *Shaw v. Reno*, 113 S.Ct. 2816 (1993). They assert that District 21 violates the Fourteenth Amendment under *Miller v. Johnson*, 115 S.Ct. 2475 (1995).
2. Defendants and defendant-intervenors deny these assertions.
3. The parties nonetheless do agree, for the purpose of settlement only, that based upon the evidence of record, there is a reasonable factual and legal basis for the plaintiffs' claim.
4. The parties recognize that litigation of plaintiffs' claims will be expensive and time-consuming, and will entail significant risks for both sides, especially because of the unsettled nature of the law in this area. The parties further recognize that litigation of these claims is likely to be protracted, causing an undesirable uncertainty in the electoral process. In order to conserve resources, reduce risk, and

obtain certainty and finality in the electoral process, the parties have agreed to resolve this dispute through compromise.

5. The parties therefore agree to modification of the current Senate redistricting plan, Plan 330, in the manner detailed in Plan 386 as depicted in Appendix A. The Florida House of Representatives, the Florida Senate, the Florida Secretary of State, and the Florida Attorney General request that all members of the public be given an opportunity to express their views on this Settlement Agreement at the hearing discussed in paragraph 9.

6. With the exception of one district, the plan set out in Appendix A only affects voters in odd-numbered districts, which are scheduled for elections in 1996. Because the next regularly scheduled elections in those districts are imminent, the parties agree that out-of-cycle elections are unnecessary in those districts.

7. With respect to the even numbered Senate districts, only District 22 is affected by the proposed settlement. District 22 would gain approximately 3,200 residents under the settlement plan. This District is scheduled for election in 1998. The parties agree that the changes to District 22 in the proposed settlement plan are less than 1% of the population of the Senate district. The parties, except for the House, agree that this *de minimus* effect on an even numbered district does not require out-of-cycle elections under either state or federal law. The House has no position as to the legal necessity for out-of-cycle elections but agrees not to seek out-of-cycle elections in either state or federal court. The parties also recognize that this court has the authority under federal law to order the proposed settlement plan into effect without ordering out-of-cycle elections.

8. By agreeing to this settlement, plaintiffs Scott, James, Sims and Serano agree to dismiss their constitutional claims against Plan 330.

9. The parties request that the court hold a fairness hearing on the proposed settlement at which members of the public, upon proper notice, will be given the opportunity to review the proposed settlement and express their views. If the court provisionally approves this settlement after the fairness hearing, the Florida Attorney General agrees to promptly submit the plan, on behalf of the State of Florida, to the United States Department of Justice under Section 5 of the

Voting Rights Act. The Attorney General agrees to submit the plan for Section 5 review in this particular case only in order to facilitate settlement of this matter. The Justice Department agrees to make every effort to expedite its Section 5 review. The parties agree to a suspension of all trial preparation deadlines while the Court considers the proposed settlement.

10. The plan finally approved by the Court will be used in state Senate elections unless and until the State of Florida adopts a new plan in accordance with federal and state law.

11. The amount of Plaintiffs' attorney fees is left for determination by the Court.

APPROVED AND AGREED TO this 2nd day of November, 1995.

/s/ James M. Landis

James M. Landis
Terri Gillis Tucker
Foley & Lardner
100 N. Tampa Street, Suite 2700
Tampa, Florida 33602
(813) 229-2300
FAX: (813) 221-4210
Attorneys for Plaintiffs Scott,
James[,], Sims & Serrano

[unsigned]

C. Martin Lawyer, III, Esq.
Florida Bar No. 0128095
3105 River Grove Drive
Tampa, Florida 33610-1135
(813) 223-2525 ext. 109

ROBERT BUTTERWORTH
Attorney General

/s/ George Waas

Peter Antonacci
George Waas
Assistant Attorney General
Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1020
(904) 488-1573; FAX: (904) 488-4872
Attorneys for the State of Florida

DEVAL L. PATRICK
Assistant Attorney General
/s/ Steven J. Mulroy
Rebecca J. Wertz
Steven J. Mulroy
Richard B. Jerome
Attorneys, Voting Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66128
Washington, DC 20035-6128
(202) 514-9821;
FAX: (202) 307-3961

/s/ Benjamin H. Hill, III
Benjamin H. Hill, III
Florida Bar No. 094585
Charlene E. Honeywell, Esq.
Florida Bar No. 346616
Hill, Ward & Henderson, P.A.
Post Office Box 2231
Tampa, Florida 33601
(813) 221-3900;
FAX: (813) 221-2900
Attorneys for Defendant-
Intervenor
The Florida Senate

/s/ B. Elaine New
B. Elaine New
General Counsel
Gerald B. Curington
Deputy General Counsel
Room 319, The Capitol
Tallahassee, Florida 32399-1300
(904) 488-7631;
FAX: (904) 488-6074
Attorneys for the Florida House

/s/ Stephen N. Zack
Stephen N. Zack
Florida Bar No. 145215
Zack Ponce Tucker & Korge
2800 International Place
100 S.E. Second Street
Miami, Florida 33131-2100
(305) 539-8400
FAX: (305) 539-1307
Attorneys for Defendant-
Intervenor
The Florida Senate

/s/ Todd A. Cox
Todd A. Cox
Lawyers' Committee for Civil Rights Under Law
1450 "G" Street N.W., Suite 400
Washington, DC 20005
(202) 662-8321; FAX: (202) 783-5130
Attorney for Smith intervenors

/s/ Donald L. Bell
Donald L. Bell
General Counsel, Florida Dept. of State
Office of the Secretary
PL-02, The Capitol
Tallahassee, Florida 32399-0250
(904) 488-3684; FAX: (904) 922-5763
Attorney for the Secretary of State,
Sandra B. Mortham

/s/ Robert B. McDuff
Robert B. McDuff
771 North Congress Street
Jackson, Mississippi 39202
(601) 969-0802; FAX: 969-0804
Attorney for Senator Hargrett

APPENDIX A

* * * *

[Note: Appendix A includes "District Statistics by County, Plan 386 (Senate)" (see pp. 102-109) and an oversized color map of "Proposed Plan 386," depicting district boundaries in the Tampa Bay area, with street and water boundaries detailed.]

**ITEM 5: DEFENDANTS' FILING
DATED NOVEMBER 17, 1995**

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,

Plaintiffs,

v.

CASE No. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, etc., et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate, et al.,

Defendant-Intervenors.

**NOTICE OF FILING DECLARATIONS AND AFFIDAVITS
IN SUPPORT OF SETTLEMENT AGREEMENT OF
NOVEMBER 2, 1995**

The Defendants and Defendant-Intervenors hereby submit the attached declarations and affidavits in support of the Settlement Agreement entered by the parties, except Plaintiff C. Martin Lawyer, on November 2, 1995:

1. Declaration of John Guthrie. [see pp. 25-125].
2. Affidavit of William DeGrove. [see pp. 126-128].
3. Supplemental Declaration of Dr. Allan J. Lichtman. [see pp. 129-136].
4. Affidavit of Peter R. Wallace, Speaker of the House of Representatives. [see pp. 137-138].
5. Declaration of Michael Cochran. [see pp. 139-143].

6. Declaration of Charles B. Wells, Sheriff of Manatee County. [see pp. 144-145].
7. Declaration of Frederick Karl. [see pp. 146-148].
8. Declaration of Clarence Fort. [see pp. 149-151].
9. Declaration of Edward Kirkland. [see pp. 152-154].

Respectfully submitted,

/s/ Benjamin H. Hill, III

BENJAMIN H. HILL, III, ESQ.

Florida Bar No. 094585

Charlene E. Honeywell, Esq.

Florida Bar No. 346616

Hill, Ward & Henderson, P.A.

Post Office Box 2231

Tampa, Florida 33601

(813) 221-3900

Co-counsel for the Florida Senate

DECLARATION OF JOHN GUTHRIE

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury the following:

1. I have personal knowledge of the facts set out below.

2. My name is John Guthrie. I lived in Largo, Florida (Pinellas County) from 1956 through 1972. I received a B.A. in political science from Davidson College in 1976 and an M.A. in political science from the University of Florida in 1977. I pursued doctoral studies in political science at the University of Rochester from 1977 through 1980, but I did not earn a degree. In August of 1989, I was employed as staff director for the Florida Senate Reapportionment Office. I designed and directed technical support for legislative and congressional redistricting, advised Senators on technical and policy matters, assisted Senators with development of redistricting plans, and supervised technical and administrative support for Reapportionment Committee meetings and Senate floor debate. Since 1992, I have served as staff director for various senate committees while also providing technical and administrative support for reapportionment litigation involving the Florida Senate.

3. I am familiar with the district configurations and demographics of the proposed settlement plan, Plan 386 (see Tab 9, Attachments 1 and 4). Plan 386 was the product of court-ordered mediation and subsequent settlement negotiations in which the concerns of various parties were addressed. Among these concerns were: (a) making Senate District 21 more compact, particularly by eliminating the extensions to Polk County and Clearwater; (b) satisfying "one person, one vote" and contiguity requirements; (c) preserving the core of existing districts and minimizing disruption to the electoral process; and (d) preserving the political balance of the current senate districts (so as to not favor either Republicans or Democrats).

4. **Plan 386 makes Senate District 21 substantially more compact.** It eliminates the Polk County and Clearwater extensions of Senate District 21 and reduces the perimeter of the district by 58%. That is, the outer boundary of Senate District 21 in Plan 386 is only 42% as long as district's boundary in the current [1992] plan (Compare Tab 9, Attachment 4 with Attachment 6). Likewise, the

end-to-end distance between the most distant points in the district is reduced by 37 percent to less than 50 miles. Only 15 of the 40 senate districts in Florida cover less distance from end-to-end.

5. The configuration of Senate District 21 in Plan 386 is not out of line with the composition and shape of many other legislative districts in Florida (see Tab 9, Attachments 1-4, 6 and 7). Compactness was expressly rejected as a formal redistricting standard in 1992. Furthermore, as the attached maps show (see Tab 10, Attachments 8-23), it also was rejected as a redistricting practice. The relatively small African-American and Hispanic voting age population percentages in these unusually-shaped districts indicate that affording minority voters the opportunity to elect candidates of choice was *not* the underlying motivation.¹ In fact, all 16 of the districts have white incumbents.

<u>"UNUSUALLY-SHAPED" DISTRICTS</u>	<u>INCUMBENT</u>	<u>%BLACK</u>	<u>%HISP.</u>
Senate District 4 (Attachment 8)	white	13.2	1.8
Senate District 11 (Attachment 9)	white	7.6	2.4
Senate District 14 (Attachment 10)	white	26.3	7.4
Senate District 18 (Attachment 11)	white	4.6	5.0
Senate District 35 (Attachment 12)	white	10.1	7.4
House District 10 (Attachment 13)	white	14.4	1.1
House District 22 (Attachment 14)	white	9.8	3.9
House District 25 (Attachment 15)	white	4.1	3.8
House District 32 (Attachment 16)	white	4.1	5.8

¹ As used in this declaration, the term "whites" refers to persons classified in Bureau of Census publications as "non-Hispanic whites." Similarly, the term "African-Americans" or "blacks" refers to persons classified in Census publications as "non-Hispanic blacks." The term "Hispanics" refers to persons of "Hispanic origin (of any race)." The term "others" refers to persons not of Hispanic origin in all other racial categories used by the Census (including "American Indian, Eskimo, and Aleut," "Asian and Pacific Islander," and "Other Races"). The "population counts" (total population and voting age population, including distributions by race) reported in this declaration were compiled from Bureau of the Census, Census of Population and Housing, 1990: Public Law (P.L.) 94-171 Data (Florida) [machine-readable data files] (1991) (see Tab 2, 1990 Census of Population).

<u>"UNUSUALLY-SHAPED" DISTRICTS</u>	<u>INCUMBENT</u>	<u>%BLACK</u>	<u>%HISP.</u>
House District 36 (Attachment 17)	white	4.3	8.2
House District 44 (Attachment 18)	white	4.0	3.1
House District 56 (Attachment 19)	white	7.3	10.4
House District 61 (Attachment 20)	white	6.6	4.6
House District 66 (Attachment 21)	white	5.3	8.1
House District 78 (Attachment 22)	white	19.8	5.7
House District 92 (Attachment 23)	white	2.3	8.5

6. Another indication of the relative unimportance of compact shapes for geopolitical boundaries in Florida is the composition of municipalities. The attached maps of municipal boundaries in the Tampa Bay Area show that unusual geographic shapes are not exclusive to legislative districts (see Tab 12, Attachments 26-28).

7. I believe the prevalence of unusually-shaped legislative districts during the 1992 redistricting cycle was triggered not so much by a change in motivations as by fundamental changes in technology that occurred between 1982 and 1992.² What I am suggesting is that some of the alleged "traditional redistricting principles" of the bygone era were once honored more because of technological limitations than as a matter of policy. As technological impediments disappeared (and decision makers discovered how easily they could shape districts in terms of incumbency or partisan considerations), the traditional standards (particularly compactness) quickly lost relevance in the political arena.

² Three major technological advances between 1982 and 1992 significantly affected the redistricting process: (1) the United States Bureau of the Census provided block level data for the entire state, resulting in a much finer level of detail for building districts; (2) the United States Bureau of the Census provided the state with the "geocoded" electronic map information that enabled the viewing of census maps on computer screens; and (3) the Florida Legislature obtained sophisticated computer hardware and software. The greater detail and accessibility of census data and the relative ease of assigning blocks to districts in 1992, combined with the wealth of data available through the Senate and House computers, gave decision makers unprecedented latitude to custom design and fine tune districts. Previously such finely detailed district drawing was either technically impossible or prohibitively time-consuming.

8. **Plan 386 satisfies the "one person, one vote" requirement.** The "ideal" population of a senate district in Florida (based on the state's 1990 population of 12,937,926 divided by 40 districts) is 323,448 people. In Plan 386, Senate District 22 is the most populous, with 327,422 people (deviation of +1.2 percent). Senate District 1, with 322,018 people, is the least populous (deviation of -0.4 percent).

9. **Plan 386 satisfies the Florida Constitution's contiguity requirement.** It is true that Senate District 21 crosses Tampa Bay in the vicinity of the Sunshine Skyway Bridge. It is also true that several other Florida senate districts cross bays or are connected across bodies of water *without bridges*, including Senate District 7, Senate District 25, and Senate District 18 (see Tab 13, Attachments 29-31). The Florida Supreme Court reviewed these districts for compliance with the "contiguous territory" requirement of the *Florida Constitution*, and found them to be constitutional (see *In re: Constitutionality of Senate Joint Resolution 2G, Special Apportionment Session 1992*, 597 So.2d 276 (Fla. 1992)).

10. **Plan 386 preserves the core of existing districts and minimizes disruption to the electoral process.** Plan 386 substantially modifies the shape of Senate District 21, reducing the outer perimeter of the district by 58%, while minimizing the "ripple effect" on surrounding districts (see Tab 1 [Part 1]: Population Shifts Relative to Current [1992] Senate Districts, Plan 386 - Settlement Agreement). Only six senate districts are modified by Plan 386 (Senate Districts 13, 17, 19, 21, 22 and 23). Senate District 21, which is most significantly impacted because of the detachment of approximately 65,000 people in the "Polk County extension" and 15,000 people in the "Clearwater extension," nevertheless retains more than 75% of its current population. District 23 retains 79% of its current population. Districts 13 and 17 retain better than 88% of their constituencies. District 19 retains 96% and District 22 retains virtually all its current population. Overall, only 8% of the 2.9 million people who reside in the nine Tampa Bay Area districts are dislocated by Plan 386.

11. Senators are elected to four-year, staggered terms. Regularly scheduled elections will occur in the fall of 1996 for Senate Districts 13, 17, 19, 21, and 23. Therefore, out-of-cycle elections are not

necessary as a result of dislocated populations in these districts, because elections are imminent.

12. The only other district modified by Plan 386 is District 22. The incumbent was just elected in the fall of 1994, and the seat will not be up again until 1998. Nevertheless, because the modifications to Senate District 22 in Plan 386 are *de minimis*, out-of-cycle elections are not necessary. Under Plan 386 (based on the 1990 Census³), 22 people are moved from District 22 to District 19 and 3,225 people are moved to District 22 from District 21. This is less than one percent of the population of a senate district. Data from the 1990 Census of Population and Housing put these numbers in perspective. According to the Census, 30% of the people in Senate District 22 moved into their 1990 residences from somewhere outside Pinellas County during the five years preceding the 1990 enumeration (another 19% moved into their 1990 residence in District 22 from locations inside Pinellas County).⁴ Even using the conservative 30% factor, this suggests that, on average, District 22 welcomes another 3,240 residents every two months. Data furnished by the Pinellas County Supervisor of Elections' Office support the same conclusion: the percentages of new voters in the county grew an average of approximately 7½ percent per year from 1992 to 1994 (see Tab 8: Mobility of Voters in Senate District 22).

13. Plan 386 does not disrupt the demographic or political characteristics of current senate districts. The socio-political profiles of constituencies newly-added to districts are on balance similar to those of the areas being removed. This applies particularly to the

³ It has now been 5½ years since the 1990 enumeration. Nevertheless, the 1990 Census of Population and Housing is the most recent and only reliable basis for block-level population data.

⁴ We cannot determine what portions of this 19% had prior residences inside or outside the District 22 boundary. The analysis reported in this paragraph is based on the premise that the patterns of mobility observed in 1985-1990 project forward in time. The socioeconomic data used in this declaration were compiled from Bureau of the Census, Census of Population and Housing, 1990: Summary Tape File 3 (Florida) [machine-readable data files] (1991).

districts that were most substantially modified (Senate Districts 21 and 23).

14. Plan 386 modifies Senate District 21 in a manner that preserves its urban character and complements the community of interest shared by the district's existing residents. In my August 22, 1995 Declaration (filed as an attachment to Response by United States to Plaintiffs' Motion for Summary Judgment), I documented that residents in the current [1992] Senate District 21 — both white and non-white — share common socioeconomic characteristics that are distinct from those of the constituencies in the surrounding districts. This same pattern holds for the modified Senate District 21 in Plan 386 (*see* Tab 6, Distinctive Socioeconomic Characteristics of Senate District 21). Examining 24 socioeconomic factors from the 1990 Census, District 21 in Plan 386 ranked near last (i.e., poorest) among the forty senate districts for many of the variables. Overall, its average rank was 34.5, the lowest average rank among the 40 senate districts. Thus, District 21 has a distinctively low-income character. Further, this average rank is close to the average rank for the current [1992] Senate District 21 (Plan 330), showing that the distinctive socioeconomic character is not changed much by the modifications to the current plan.

15. This demographic profile is not simply the result of a correlation between socioeconomic status and race (*see* Tab 7: Distinctive Socioeconomic Characteristics of District 21 — Controlling for Race). This can be seen by examining the socioeconomic status ranking of blacks and whites in Senate District 21 (Plan 386) separately. With respect to per capita income among African-Americans, Senate District 21 ranks 15th out of 40 senate districts; with respect to per capita income among whites, Senate District 21 ranks 40th. With respect to percentages of families with income below the poverty level, the African-American families in Senate District 21 rank 3rd (in comparison to African-American families in the other forty senate districts) and the white families rank 3rd (in comparison to white families in the other forty senate districts). The measures of African-American high school and college graduates in Senate District 21 rank 11th and 25th respectively; the corresponding measures for whites rank 39th and 37th. The other socioeconomic variables reported in the table at Tab 7 follow this general pattern,

indicating that the white population in Senate District 21 is just as economically disadvantaged (compared with white populations in other districts) as is the African-American population in the district — in fact, more so. Thus, even when we factor out the effect of race, Senate District 21 exhibits strong socioeconomic status commonalities among its residents.

16. Senate District 21 as modified in Plan 386 has a distinctly urban character. More than 95 percent of the residents live “inside an urbanized area” as designated by the United States Bureau of the Census.⁵

17. As configured in Plan 386, Senate District 21 would be fair for all voters; no particular group of citizens would be excluded from meaningful participation in the electoral process. Whites would comprise 48.9% of the voting age population in the district, African-Americans would comprise 36.2%, and persons of Hispanic origin would comprise 13.9%. Whites make up 59.3% of registered voters, and African-Americans make up 40.5%.⁶

18. **Plan 386 preserves the political balance of the current senate districts** (so as to not favor either Republicans or Democrats) (*see* Tab 3: 1994 Voter Registration). District 13, which has a Republican incumbent, slightly benefits in terms of Republican voter registration; District 17, which has a Democratic incumbent, slightly benefits in terms of Democratic voter registration; and in District 23, in which the Republican incumbent plans to retire, the modified district is “partisan neutral” relative to the current district in terms of partisan registration and general election results. The modifications to Districts 19, 22 and 21 are not likely to have partisan implications because the partisan swings are so small relative to the substantial current advantage for one party or the other in these districts.

⁵ See Bureau of the Census, Census of Population and Housing, 1990: Summary Tape File 3 (Florida) [machine-readable data files] (1991). For definition of “inside an urbanized area,” *see* Bureau of the Census, Census of Population and Housing, 1990: Summary Tape File 3 Technical Documentation (1991), pp. A11-A12[.]

⁶ Available voter registration data [] do not classify persons of Hispanic origin, so “Whites” plus “Blacks” plus “Others” add to 100 percent.

19. An alternative plan submitted to the Court by C. Martin Lawyer, III, configures Senate District 21 to fit entirely in Hillsborough County. Compared to Plan 386, which dislocates less than 25% of the people in any single district and 8% of the people in the nine Tampa Bay area districts combined, the C. Martin Lawyer, III, plan dislocates more than 60% of the current constituents of Senate District 21, and more than 25% in the nine Tampa Bay area districts combined (*see* Tab 1 [Part 2]: Population Shifts Relative to Current [1992] Senate Districts, Plan 382 - Martin Lawyer). As a result, 738,733 people would be moved out of their current districts and into new districts, as compared to only 235,875 in Plan 386. Mr. Lawyer's plan also splits DeSoto, Hardee and Hernando Counties (all of which are wholly contained in senate districts in the current [1992] plan and in Plan 386) (*see* Tab 5 [Part 1]: Number of Districts per County). Likewise, the Lawyer plan extends Senate District 17 to include five counties, compared with four in the current [1992] plan and three in Plan 386 (*see* Tab 5 [Part 2]: Number of Counties per District). Mr. Lawyer's design for District 21, while confined to a single county, exhibits twists and turns along its boundary similar to those in both the current (Plan 330) and the modified (Plan 386) Senate District 21. (*Compare* Tab 11, Attachment 24 with Attachment 25).

20. Six of the twelve house districts in Hillsborough County extend beyond the county's boundary to include territories in other counties. For example, House District 55 covers parts of Hillsborough, Pinellas, and Manatee Counties (the same three counties as Senate District 21 in Plan 386), and House Districts 47 and 48 both straddle the Hillsborough-Pinellas County line.

21. Respect for county boundaries was not a traditional redistricting principle in Florida in 1992. To the contrary, county boundaries often were intentionally split to provide counties with increased representation in the Senate.⁷ Fifteen senate districts besides the

⁷ Many Senators believed that having multiple representatives in the Senate provided counties better representation. As an example, it was argued that two counties are better served sharing two Senators than if they each have a single Senator.

current Senate District 21 (in Plan 330) included all or parts of four or more counties (*see* Tab 4, Numbers of Counties per Senate District).⁸ Significantly, all but one of those 16 districts contained more partial counties than whole counties. This clearly indicates that county splits were not necessary to comply with "one person, one vote" requirements. For instance, Senate District 5 in north Florida includes parts of nine counties, none of which is wholly contained in the district. Senate District 4, which reaches from Tallahassee to Fernandina Beach and then south below Crystal River to the Citrus-Hernando County line, includes 18 counties, only seven of which are wholly contained within the district. Senate District 35 stretches across the state from West Palm Beach to Fort Myers, and only one of its six counties is wholly contained in the district. Of the six senate districts composed of four counties, only two (Senate District 10 and Senate District 29) contain even one whole county. The remaining districts (Senate Districts 12, 17, 21 and 27) are composed entirely of parts of counties. Statewide, only 24 counties are wholly contained in a single district; the remaining 43 counties are split between two or more districts.

22. Approaching the relationship between senate district and county boundaries from the opposite perspective, statewide only nine senate districts are wholly contained within a single county: five in Dade County and one each in Broward, Hillsborough, Pinellas and Volusia.

23. The bill language and statistics for Plan 386, attached at Tab 14, are a true and accurate depiction of the modified boundaries for Senate Districts 13, 17, 19, 21, 22, and 23 approved and recommended by the parties to the Settlement Agreement signed November 2, 1995.

⁸ Senate District 21 in the current [1992] plan includes parts of Hillsborough, Pinellas, Manatee and Polk Count[ies]. Under the settlement agreement the Polk extension is eliminated, so the modified Senate District in Plan 386 crosses into only three counties.

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ John Guthrie

John Guthrie

Date: November 16, 1995

LIST OF TABLES

TAB 1: Population Shifts Relative to Current [1992] Senate Districts

Plan 386 - Settlement Agreement [see p. 37]

Plan 382 - Martin Lawyer [see p. 38]

TAB 2: 1990 Census of Population [see pp. 39-41]

TAB 3: 1994 Voter Registration [see pp. 42-44]

TAB 4: Number of Counties per Senate District [see pp. 45-46]

TAB 5: Relationships between Districts and Counties

Number of Districts per County: Tampa Bay Area [see p. 47]

Number of Counties per District: Tampa Bay Area [see p. 48]

TAB 6: Distinctive Socioeconomic Characteristics of Senate District 21 [see pp. 49-50]

TAB 7: Distinctive Socioeconomic Characteristics of Senate District 21 — Controlling for Race [see p. 51]

TAB 8: Mobility of Voters in Senate District 22 [see p. 52]

LIST OF ATTACHMENTS

TAB 9: District Maps

Attachment 1: Settlement Agreement - Plan 386 (Statewide) [see p. 53]

Attachment 2: Current [1992] Senate Districts - Plan 330 (Statewide) [see p. 54]

Attachment 3: Current [1992] House Districts - Plan 352 (Statewide) [see p. 55]

Attachment 4: Settlement Agreement - Plan 386 (Tampa Bay Area) [see p. 56]

Attachment 5: C. Martin Lawyer, III - Plan 382 (Tampa Bay Area) [see p. 57]

Attachment 6: Current [1992] Senate Districts - Plan 330 (Tampa Bay Area) [see p. 58]

Attachment 7: Current [1992] House Districts - Plan 352 (Tampa Bay Area) [see p. 59]

TAB 10: Unusually-Shaped Districts

Attachment 8: Senate District 4 [see p. 60]

Attachment 9: Senate District 11 [see p. 61]

Attachment 10: Senate District 14 [see p. 62]

Attachment 11: Senate District 18 [see p. 63]

Attachment 12: Senate District 35 [see p. 64]

Attachment 13: House District 10 [see p. 65]

Attachment 14: House District 22 [see p. 66]

Attachment 15: House District 25 [see p. 67]

Attachment 16: House District 32 [see p. 68]

Attachment 17: House District 36 [see p. 69]

Attachment 18: House District 44 [see p. 70]

Attachment 19: House District 56 [see p. 71]

Attachment 20: House District 61 [see p. 72]

Attachment 21: House District 66 [see p. 73]

Attachment 22: House District 78 [see p. 74]

Attachment 23: House District 92 [see p. 75]

TAB 11: Comparison of District 21 in Settlement Plan and Lawyer Plan

Attachment 24: Senate District 21 - Settlement Agreement [see p. 76]

Attachment 25: Senate District 21 - C. Martin Lawyer, III, Plan [see p. 77]

TAB 12: Municipal Boundaries

Attachment 26: Pinellas Park to Clearwater (municipal boundaries) [see p. 78]

Attachment 27: Plant City to Winter Haven (municipal boundaries) [see p. 79]

Attachment 28: Bradenton and Palmetto (municipal boundaries) [see p. 80]

TAB 13: Contiguity Across Bodies of Water

Attachment 29: Senate District 7 (Example of district crossing water) [see p. 81]

Attachment 30: Senate District 25 (Example of district crossing water) [see p. 82]

Attachment 31: Senate District 18 (Example of district crossing water) [see p. 83]

TAB 14: Bill Language and Statistics for Plan 386

[Bill Language, see pp. 84-98]

District Statistics, see pp. 99-100

Plan Comparison Report, see p. 101

District Statistics by County, see pp. 102-109

1994 Voter Registration by District, see pp. 110-117

Elections Estimates by District, see pp. 118-125]

TAB 1: POPULATION SHIFTS RELATIVE TO
CURRENT [1992] SENATE DISTRICTS (PLAN 330) [PART 1 OF 2]
COMPARISON OF SETTLEMENT AGREEMENT (PLAN 386) WITH PLAN 330

District	10	13	17	19	20	21	22	23	26	P330
10	324,581	0	0	0	0	0	0	0	0	324,581
13	0	287,731	0	0	0	36,838	0	0	0	324,569
17	0	0	284,146	0	0	0	0	38,657	0	322,803
19	0	12,606	0	310,492	0	0	0	0	0	323,098
20	0	0	0	0	324,336	0	0	0	0	324,336
21	0	0	38,250	12,053	0	242,668	3,225	27,160	0	323,356
22	0	0	0	22	0	0	324,197	0	0	324,219
23	0	23,138	0	0	0	43,926	0	256,468	0	323,532
26	0	0	0	0	0	0	0	0	322,988	322,988
P386	324,581	323,475	322,396	322,567	324,336	323,432	327,422	322,285	322,988	2,913,482
Changed	0	35,744	38,250	12,075	0	80,764	3,225	65,817	0	235,875

TAB 1: POPULATION SHIFTS RELATIVE TO
CURRENT [1992] SENATE DISTRICTS (PLAN 330) [PART 2 OF 2]
COMPARISON OF C. MARTIN LAWYER, III (PLAN [382]) WITH PLAN 330

District	10	13	17	19	20	21	22	23	26	P330
10	215,740	100,482	8,359	0	0	0	0	0	0	324,581
13	0	223,612	0	0	0	98,508	0	2,449	0	324,569
17	86,686	0	235,037	0	0	0	0	1,080	0	322,803
19	0	0	0	323,098	0	0	0	0	0	323,098
20	0	0	0	0	228,507	43,154	15,958	36,717	0	324,336
21	21,609	0	28,915	0	65,970	126,423	14,168	29,080	37,191	323,356
22	0	0	0	0	29,815	0	294,404	0	0	324,219
23	0	1,539	0	0	0	53,541	0	255,782	12,670	323,532
26	0	0	50,842	0	0	0	0	0	272,146	322,988
P382	324,035	325,633	323,153	323,098	324,292	321,626	324,530	325,108	322,007	2,913,482
Changed	108,295	102,021	88,116	0	95,785	195,203	30,126	69,326	49,861	738,733

TAB 2: 1990 CENSUS OF POPULATION [PART 1 OF 3]

Senate District	Total Population				Voting Age Population			
	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386
10	Count % White % Black % Other % Hispanic	324,581 90.8% 4.9% 0.8% 3.5%	324,581 90.8% 4.9% 0.8% 3.5%	255,172 92.3% 4.1% 0.7% 2.9%	255,172 92.3% 4.1% 0.7% 2.9%	250,347 88.5% 7.7% 0.8% 2.9%	255,172 92.3% 4.1% 0.7% 2.9%	250,347 88.5% 7.7% 0.8% 2.9%
13	Count % White % Black % Other % Hispanic	324,569 80.1% 3.4% 1.7% 14.7%	325,633 88.8% 2.3% 1.4% 7.5%	254,222 81.1% 3.0% 1.6% 14.3%	253,078 84.4% 2.6% 1.6% 11.4%	254,960 89.7% 2.0% 1.3% 7.0%	254,222 81.1% 3.0% 1.6% 14.3%	253,078 84.4% 2.6% 1.6% 11.4%
17	Count % White % Black % Other % Hispanic	322,803 84.4% 9.2% 0.9% 5.5%	323,153 78.4% 14.3% 0.8% 6.5%	248,106 87.3% 7.3% 0.8% 4.5%	246,716 82.7% 12.1% 0.8% 4.4%	246,425 82.2% 11.9% 0.7% 5.2%	248,106 87.3% 7.3% 0.8% 4.5%	246,716 82.7% 12.1% 0.8% 4.4%

[Table continued on next page. See note at Tab 2, Part 3.]

TAB 2: 1990 CENSUS OF POPULATION [PART 2 OF 3]

Senate District	Total Population			Voting Age Population		
	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382
19 Count	323,098	322,567	323,098	268,595	266,953	268,595
% White	95.2%	93.4%	95.2%	96.1%	94.6%	96.1%
% Black	1.6%	3.4%	1.6%	1.2%	2.6%	1.2%
% Other	1.0%	1.0%	1.0%	0.8%	0.8%	0.8%
% Hispanic	2.2%	2.2%	2.2%	2.0%	2.0%	2.0%
20 Count	324,336	324,336	324,292	265,175	265,175	260,157
% White	90.6%	90.6%	80.8%	91.8%	91.8%	83.8%
% Black	2.9%	2.9%	14.6%	2.4%	2.4%	12.1%
% Other	2.4%	2.4%	1.9%	2.1%	2.1%	1.7%
% Hispanic	4.1%	4.1%	2.7%	3.8%	3.8%	2.5%
21 Count	323,356	323,432	321,626	231,003	237,582	241,704
% White	39.5%	44.0%	54.4%	44.7%	48.9%	58.2%
% Black	50.2%	41.2%	26.7%	45.0%	36.2%	22.7%
% Other	0.9%	1.1%	1.7%	0.9%	1.1%	1.7%
% Hispanic	9.5%	13.7%	17.2%	9.4%	13.9%	17.4%

[Table continued on next page. See note at Tab 2, Part 3.]

TAB 2: 1990 CENSUS OF POPULATION [PART 3 OF 3]

Senate District	Total Population			Voting Age Population		
	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382	1992 Sen. Districts Plan 330	Settlement Agreement Plan 386	Martin Lawyer Plan 382
22 Count	324,219	327,422	324,530	275,448	278,104	274,790
% White	94.5%	94.5%	93.0%	95.3%	95.3%	94.2%
% Black	2.4%	2.4%	4.0%	1.9%	1.9%	3.1%
% Other	1.0%	1.0%	1.0%	0.8%	0.9%	0.9%
% Hispanic	2.1%	2.1%	2.1%	1.9%	1.9%	1.9%
23 Count	323,532	322,285	325,108	244,405	239,346	246,224
% White	84.1%	83.6%	84.9%	85.7%	85.6%	86.4%
% Black	4.9%	7.1%	4.8%	4.4%	6.1%	4.1%
% Other	1.5%	1.2%	1.4%	1.4%	1.2%	1.3%
% Hispanic	9.5%	[8.1%]	9.0%	8.5%	7.2%	8.1%
26 Count	322,988	322,988	322,007	260,747	260,747	259,671
% White	88.3%	88.3%	85.9%	90.7%	90.7%	88.7%
% Black	6.1%	6.1%	8.0%	4.8%	4.8%	6.4%
% Other	0.8%	0.8%	0.8%	0.7%	0.7%	0.7%
% Hispanic	4.8%	4.8%	5.3%	3.8%	3.8%	4.2%

Note: Districts which are not modified by the Settlement Agreement (Plan 386) but are modified by the C. Martin Lawyer Plan (Plan 382) are shaded in grey. ["Current districts" in original designated here as "1992 Sen."]

TAB 3: 1994 VOTER REGISTRATION [PART 1 OF 3]

Senate District	1992 Sen. Districts (Plan 330)	Settlement Agrmt. (Plan 386)	Martin Lawyer (Plan 382)
10 Democrats	90,668	90,668	83,886
Republicans	79,951	79,951	63,626
Independents & Minor Parties	14,265	14,265	9,079
White Registered Voters	178,806	178,806	146,038
Black Registered Voters	5,128	5,128	9,526
Other Race Registered Voters	950	950	1,027
13 Democrats	80,511	79,487	86,120
Republicans	67,392	73,654	85,847
Independents & Minor Parties	17,804	19,042	20,741
White Registered Voters	160,193	167,090	188,139
Black Registered Voters	5,298	4,798	3,995
Other Race Registered Voters	216	295	574
17 Democrats	79,092	78,550	84,425
Republicans	61,065	53,920	56,438
Independents & Minor Parties	6,536	5,981	6,341
White Registered Voters	136,454	122,991	131,833
Black Registered Voters	8,869	14,151	14,082
Other Race Registered Voters	1,370	1,309	1,289

[Table continued on next page. See note at Tab 3, Part 3.]

TAB 3: 1994 VOTER REGISTRATION [PART 2 OF 3]

Senate District	1992 Sen. Districts (Plan 330)	Settlement Agrmt. (Plan 386)	Martin Lawyer (Plan 382)
19 Democrats	80,414	79,566	80,414
Republicans	104,461	100,775	104,461
Independents & Minor Parties	25,391	24,840	25,391
White Registered Voters	207,718	200,754	207,718
Black Registered Voters	2,056	4,014	2,056
Other Race Registered Voters	492	413	492
20 Democrats	78,992	78,992	82,642
Republicans	74,790	74,790	66,675
Independents & Minor Parties	18,110	18,110	16,796
White Registered Voters	168,106	168,106	145,296
Black Registered Voters	3,786	3,786	20,817
21 Democrats	83,839	84,822	78,823
Republicans	24,108	27,474	34,599
Independents & Minor Parties	7,668	9,393	11,221
White Registered Voters	57,482	72,220	95,624
Black Registered Voters	57,864	49,299	29,019
Other Race Registered Voters	269	170	0

[Table continued on next page. See note at Tab 3, Part 3.]

TAB 3: 1994 VOTER REGISTRATION [PART 3 OF 3]

Senate District	1992 Sen. Districts (Plan 330)	Settlement Agrmt. (Plan 386)	Martin Lawyer (Plan 382)
22 Democrats	72,568 37.6%	73,275 37.6%	72,256 37.7%
Republicans	98,833 51.2%	99,780 51.2%	97,980 51.1%
Independents & Minor Parties	21,652 11.2%	21,876 11.2%	21,347 11.1%
White Registered Voters	190,363 [98.6%]	192,231 [98.6%]	187,278 [97.8%]
Black Registered Voters	2,690 [1.4%]	2,700 [1.4%]	4,305 [2.2%]
23 Democrats	69,218 46.3%	69,942 47.1%	73,458 47.4%
Republicans	63,876 42.7%	64,132 43.2%	65,262 42.1%
Independents & Minor Parties	16,470 11.0%	14,389 9.7%	16,231 10.5%
White Registered Voters	142,674 95.4%	139,598 94.0%	147,897 95.4%
Black Registered Voters	6,890 4.6%	8,705 5.9%	7,054 4.6%
Other Race Registered Voters	0 0.0%	160 0.1%	0 0.0%
26 Democrats	79,151 41.4%	79,151 41.4%	72,429 39.2%
Republicans	97,132 50.9%	97,132 50.9%	96,720 52.4%
Independents & Minor Parties	14,676 7.7%	14,676 7.7%	15,425 8.4%
White Registered Voters	183,282 96.0%	183,282 96.0%	175,255 95.0%
Black Registered Voters	6,682 3.5%	6,682 3.5%	8,409 4.6%
Other Race Registered Voters	995 0.5%	995 0.5%	910 0.5%

Note: Districts which are not modified by the Settlement Agreement (Plan 386) but are modified by the C. Martin Lawyer Plan (Plan 382) are shaded in grey. ["Current districts" in original designated here as "1992 Sen."]

TAB 4: NUMBER OF COUNTIES PER SENATE DISTRICT
[PART 1 OF 2]

Settlement Agrmt. (Plan 386)				1992 Senate Plan (Plan 330)			
District	Counties	Partial	Whole	District	Counties	Partial	Whole
4	18	11	7	4	18	11	7
3	11	4	7	3	11	4	7
5	9	9	0	5	9	9	0
1	7	5	2	1	7	5	2
35	6	5	1	35	6	5	1
2	5	5	0	2	5	5	0
7	5	5	0	7	5	5	0
8	5	4	1	8	5	4	1
11	5	4	1	11	5	4	1
26	5	3	2	26	5	3	2
12	4	4	0	12	4	4	0
17	4	4	0	17	4	4	0
27	4	4	0	21	4	4	0
10	4	3	1	27	4	4	0
29	4	3	1	10	4	3	1
6	3	3	0	29	4	3	1
15	3	3	0	6	3	3	0
21	3	3	0	15	3	3	0
24	3	3	0	24	3	3	0
9	2	2	0	9	2	2	0

[Table continued on next page. See note at Tab 4, Part 2.]

TAB 4: NUMBER OF COUNTIES PER SENATE DISTRICT
[PART 2 OF 2]

Settlement Agrmt. (Plan 386)				1992 Senate Plan (Plan 330)			
District	Counties	Partial	Whole	District	Counties	Partial	Whole
13	2	2	0	13	2	2	0
14	2	2	0	14	2	2	0
18	2	2	0	18	2	2	0
19	2	2	0	19	2	2	0
20	2	2	0	20	2	2	0
23	2	2	0	25	2	2	0
25	2	2	0	28	2	2	0
28	2	2	0	30	2	2	0
30	2	2	0	31	2	2	0
31	2	2	0	32	2	2	0
32	2	2	0	40	2	1	1
40	2	1	1	16	1	1	0
16	1	1	0	22	1	1	0
22	1	1	0	23	1	1	0
33	1	1	0	33	1	1	0
34	1	1	0	34	1	1	0
36	1	1	0	36	1	1	0
37	1	1	0	37	1	1	0
38	1	1	0	38	1	1	0
39	1	1	0	39	1	1	0
Total	142	118	24	Total	142	118	24

Note: Under the 1992 Florida House and Senate redistricting plans, 6 of the 12 house districts in Hillsborough County and 3 [of] the 4 senate districts extend out to include other counties. Overall, 9 of the 16 legislative districts in Hillsborough County include other counties (only 7 of 16 are wholly contained in Hillsborough County).

TAB 5: RELATIONSHIPS BETWEEN DISTRICTS AND COUNTIES [PART 1 OF 2]
NUMBER OF DISTRICTS PER COUNTY

County	Current [1992] Senate Districts (Plan 330)	Settlement Agreement (Plan 386)	Martin Lawyer (Plan 382)
	<i>n</i> Districts	<i>n</i> Districts	<i>n</i> Districts
DeSoto	1 26	1 26	2 17, 26
Hardee	1 26	1 26	2 17, 26
Hernando	1 10	1 10	2 10, 13
Highlands	2 17, 26	2 17, 26	1 17
Hillsborough	5 13, 17, 20, 21, 23	4 13, 20, 21, 23	4 13, 21, 23, 26
Manatee	2 21, 26	2 21, 26	1 26
Okeechobee	2 17, 35	2 17, 35	2 17, 35
Pasco	3 10, 13, 19	3 10, 13, 19	3 10, 13, 19
Pinellas	4 19, 20, 21, 22	4 19, 20, 21, 22	3 19, 20, 22
Polk	3 10, 17, 21	3 10, 17, 23	2 10, 17
Sarasota	2 24, 26	2 24, 26	2 24, 26
Sumter	2 10, 11	2 10, 11	2 10, 11
Total	28	27	26

TAB 5: RELATIONSHIPS BETWEEN DISTRICTS AND COUNTIES [PART 2 OF 2]
NUMBER OF COUNTIES PER DISTRICT

District	Current [1992] Sen. Districts (Plan 330)	Settlement Agreement (Plan 386)	Martin Lawyer (Plan 382)
	<i>n</i> Counties	<i>n</i> Counties	<i>n</i> Counties
10	4 Her, Pas, Pol, Sum	4 Her, Pas, Pol, Sum	4 Her, Pas, Pol, Sum
13	2 Hil, Pas	2 Hil, Pas	3 Her, Hil, Pas
17	4 Hig, Hil, Oke, Pol	3 Hig, Oke, Pol	5 Des, Har, Hig, Oke, Pol
19	2 Pas, Pin	2 Pas, Pin	2 Pas, Pin
20	2 Hil, Pin	2 Hil, Pin	1 Pin
21	4 Hil, Man, Pin, Pol	3 Hil, Man, Pin	1 Hil
22	1 Pin	1 Pin	1 Pin
23	1 Hil	2 Hil, Pol	1 Hil
26	5 Des, Har, Hig, Man, Sar	5 Des, Har, Hig, Man, Sar	5 Des, Har, Hil, Man, Sar
Total	25	24	23

County Abbreviations: Des-DeSoto, Har-Hardee, Her-Hernando, Hig-Highlands, Hil-Hillsborough, Man-Manatee, Oke-Okeechobee, Pas-Pasco, Pin-Pinellas, Pol-Polk, Sar-Sarasota, Sum-Sumter

TAB 6: DISTINCTIVE SOCIOECONOMIC CHARACTERISTICS OF
SENATE DISTRICT 21 [PART 1 OF 2]

Weighted Population Rank of Senate District 21	Settlement Agrmt. (Plan 386)		1992 Senate Plan (Plan 330)	
	State (out of 40)	T-Bay (out of 9)	State (out of 40)	T-Bay (out of 9)
Median Family Income	40	9	40	9
Per Capita Income	39	9	40	9
Family income below pov- erty level (reversed)	38	9	39	9
Unemployment Rate (re- versed)	37	9	38	9
Employees working 40 or more hours per week	26	4	30	5
High school graduates	37	9	38	9
College graduates	38	8	40	9
Children in public schools (K-12) (reversed)	35	7	39	8
Children in private schools (K-12)	31	7	39	8
Executive, administrative & managerial occupations	38	9	40	9
Professional specialty oc- cupations	39	9	40	9
Dwellings with no tele- phone (reversed)	40	9	40	9
Dwellings with no vehicle (reversed)	39	9	39	9
Monthly rent of \$500 or more	32	7	39	9
Mortgage of \$700 or more	38	9	40	9
Owner-occupied dwell- ings	38	9	35	9

TAB 6: DISTINCTIVE SOCIOECONOMIC CHARACTERISTICS OF
SENATE DISTRICT 21 [PART 2 OF 2]

Weighted Population Rank of Senate District 21	Settlement Agrmt. (Plan 386)		1992 Senate Plan (Plan 330)	
	State (out of 40)	T-Bay (out of 9)	State (out of 40)	T-Bay (out of 9)
<i>Number of persons per dwelling unit (reversed)</i>	25	8	30	9
<i>Inside an urbanized area (reversed)</i>	25	6	23	6
<i>Vacant housing units (reversed)</i>	27	4	26	5
Married-couple households	39	9	39	9
<i>Non-family households (reversed)</i>	36	7	32	7
<i>Born in Florida (reversed)</i>	37	9	38	9
Changed residences within last 5 years	30	6	34	8
Persons age 65 and older	23	8	23	8

The "average rank" of Senate District 21 on these 24 factors is 34.5 in the Settlement Agreement and 35.9 in the 1992 Senate Plan. In both plans, Senate District 21 ranks lowest of the 40 districts in Florida on these 24 socioeconomic factors.

Note: Senate District 21 is ranked relative to all forty senate districts in Florida ("State") and relative to the nine districts in the Tampa Bay area ("T-Bay" — the seven surrounding districts, Senate Districts 10, 13, 17, 20, 22, 23, and 26, plus Senate District 19).

Note: *Italics indicate the "directionality" of a ranking has been reversed to make a rank of 40 (or 9 in the "T-Bay" column) the "extreme benchmark" for all socioeconomic factors. For example, a ranking of 38 on unemployment means Senate District 21 has the 3rd highest unemployment rate.*

TAB 7: DISTINCTIVE SOCIOECONOMIC CHARACTERISTICS OF
SENATE DISTRICT 21 — CONTROLLING FOR RACE

Weighted Population Rank of Senate District 21 Settlement Agreement (Plan 386)	Entire District Population (out of 40)	African-American Population (out of 40)	White Population (out of 40)
Per Capita Income	39	15	39
<i>Family income below poverty level (reversed)</i>	38	38	38
<i>Unemployment Rate (reversed)</i>	37	33	39
High school graduates	37	11	39
College graduates	38	25	37
<i>Dwellings with no vehicle (reversed)</i>	39	37	38
Monthly rent of \$500 or more	32	20	33
Mortgage of \$700 or more	38	23	39
Owner-occupied dwellings	38	18	38
<i>Number of persons per dwelling unit (reversed)</i>	25	34	9
Married-couple households	39	23	38
<i>Non-family households (reversed)</i>	36	38	35
Persons age 65 and older	23	10	20

Note: *Italics indicate the "directionality" of a ranking has been reversed to make a rank of 40 (or 9 in the "T-Bay" column) the "extreme benchmark" for all socioeconomic factors. For example, a ranking of 38 on unemployment means Senate District 21 has the 3rd highest unemployment rate.*

The socioeconomic factors not reported in this table were excluded because data broken down by race were not available in the STF-3 Census tabulation.

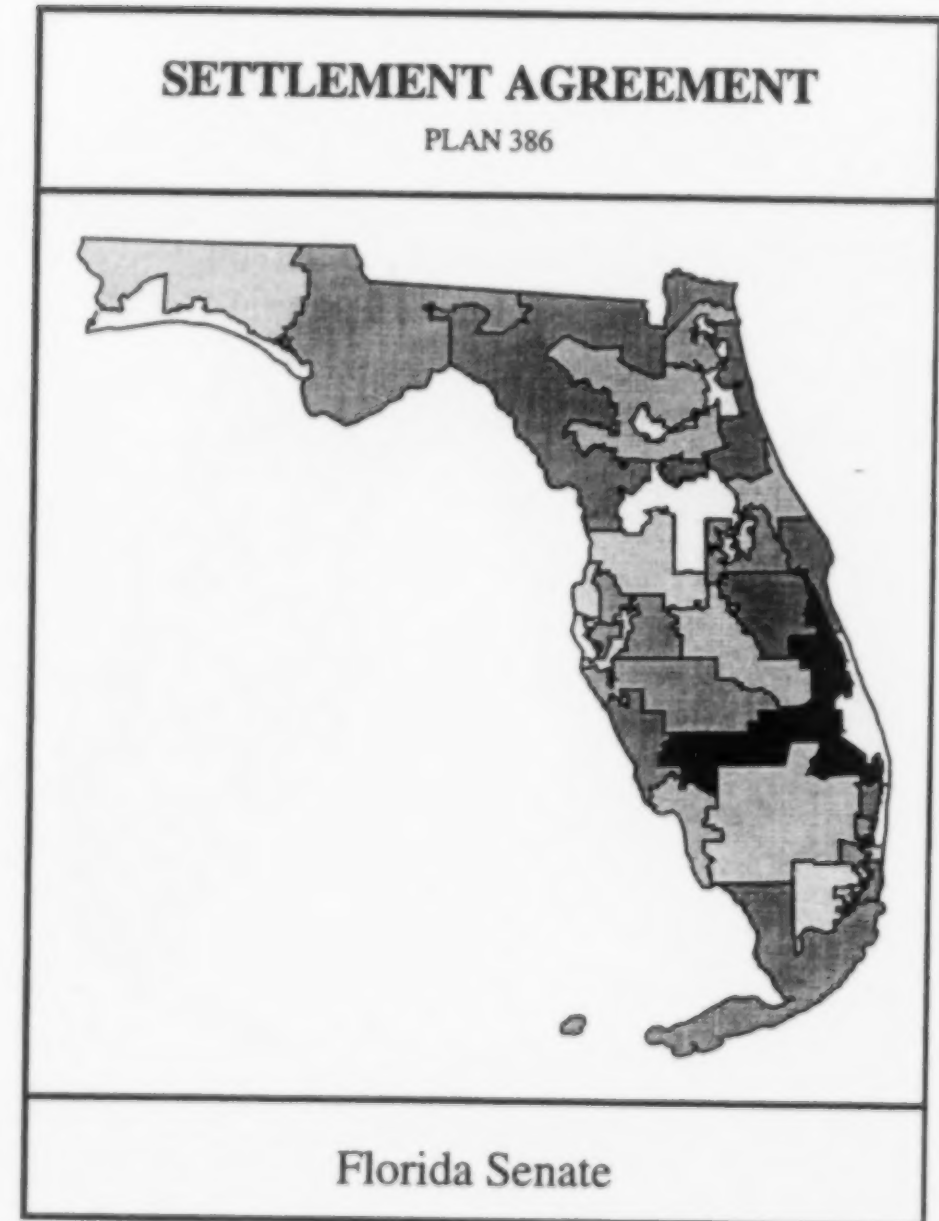
TAB 8: MOBILITY OF VOTERS IN SENATE DISTRICT 22 (PLAN 330)

Year ending December 31 . . .	1992	1993	1994
Registered voters in Pinellas County	513,752	470,669	531,377
New registered voters in Pinellas County (per year)	72,456	16,053	28,579
New registered voters in Pinellas County (cumulative)	72,456	88,509	117,088
Percentage of new voters (per year)	14.1%	3.4%	5.4%
Percentage of new voters (cumulative)	14.1%	18.8%	22.0%
Registered voters in District 22	103,465	95,043	106,982
Estimate of new voters in District 22 (per year)	14,108	3,242	5,754
Estimate of new voters in District 22 (cumulative)	14,108	17,350	23,104

Another indication of the mobility of residents in Pinellas County is provided by the 1990 Census of Population and Housing. According to the Census, 48.81% of the Population in District 22 moved into their 1990 residence during the five years preceding the 1990 Census and 29.51% of the Population moved from another county during this same five years (Summary Tape File 3 (Florida) [machine-readable data files] (1991)).

TAB 9: DISTRICT MAPS

Attachment 1:
Settlement Agreement - Plan 386 (Statewide)
[Black & white depiction of color original]

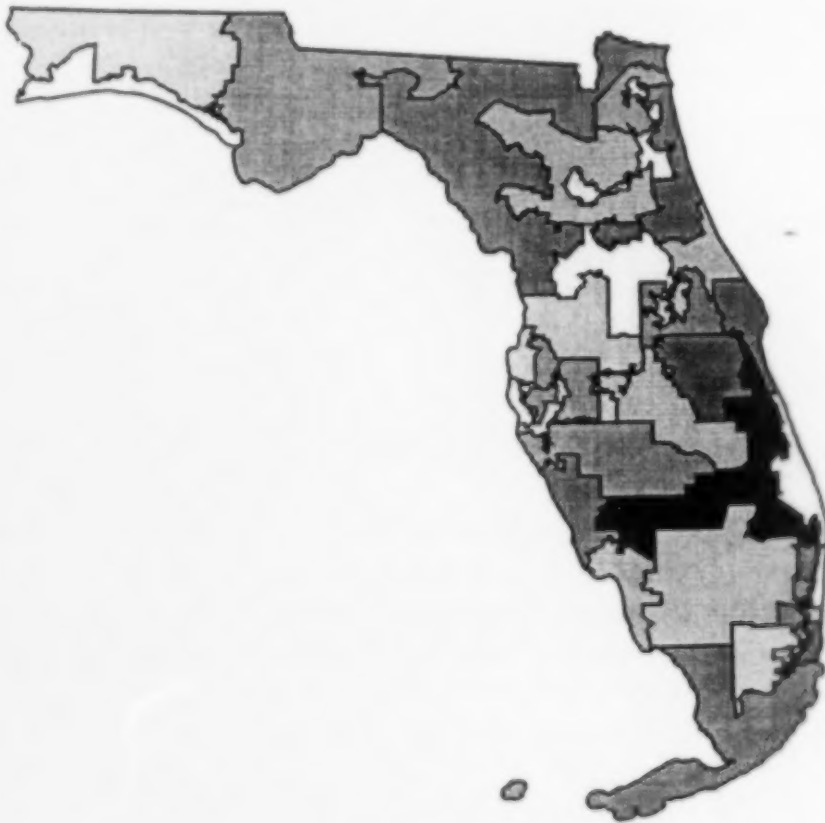


TAB 9: DISTRICT MAPS

Attachment 2:
Current [1992] Senate Districts - Plan 330 (Statewide)
[Black & white depiction of color original]

CURRENT SENATE DISTRICTS

PLAN 330



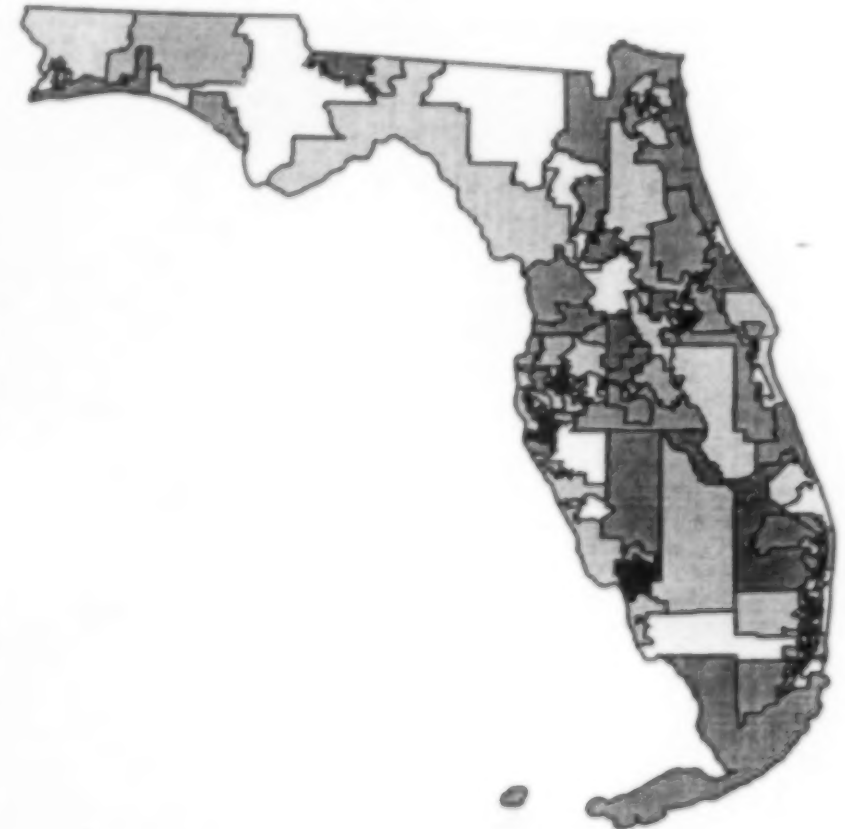
Florida Senate

TAB 9: DISTRICT MAPS

Attachment 3:
Current [1992] House Districts - Plan 352 (Statewide)
[Black & white depiction of color original]

CURRENT HOUSE DISTRICTS

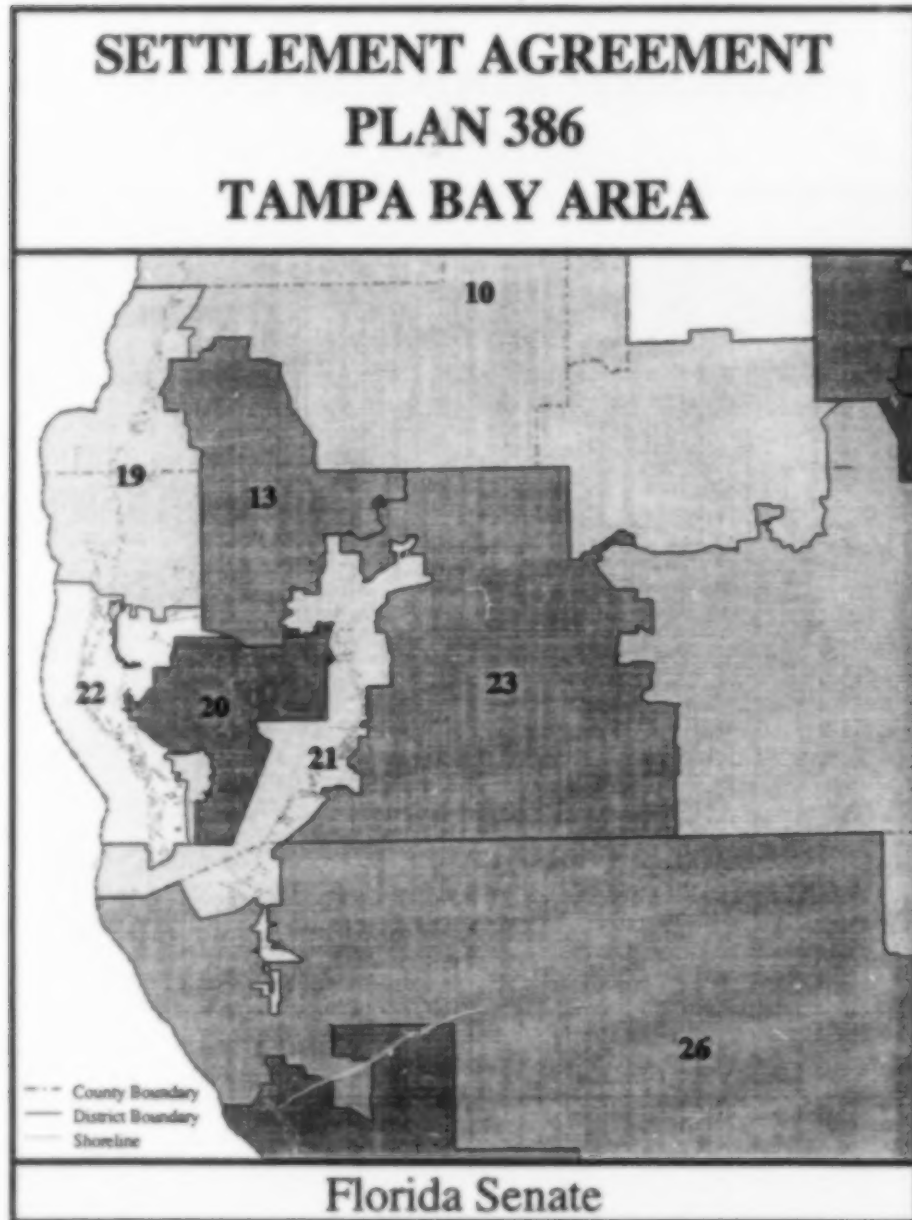
PLAN 352



Florida Senate

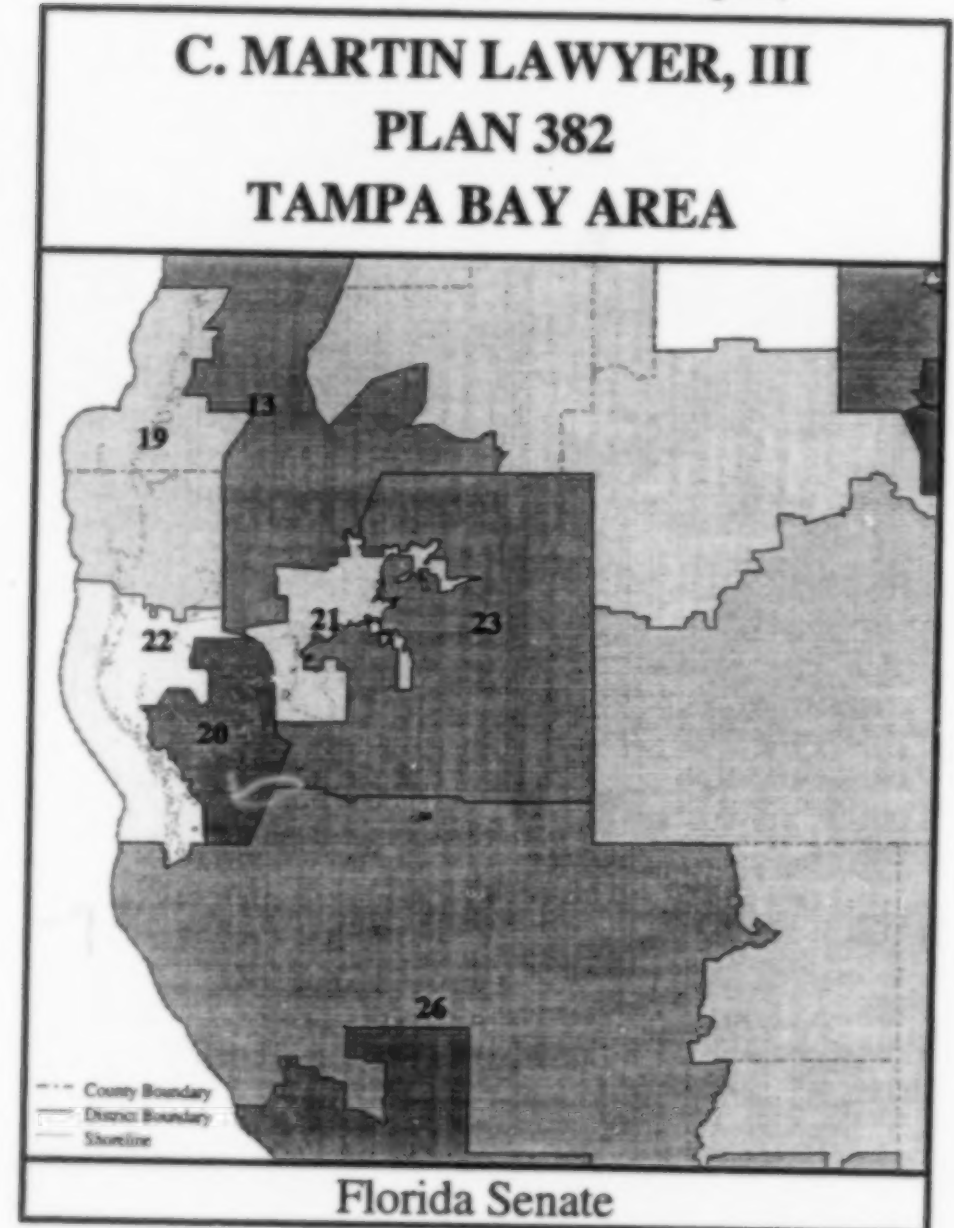
TAB 9: DISTRICT MAPS

Attachment 4:
Settlement Agreement - Plan 386 (Tampa Bay Area)
[Black & white depiction of color original]



TAB 9: DISTRICT MAPS

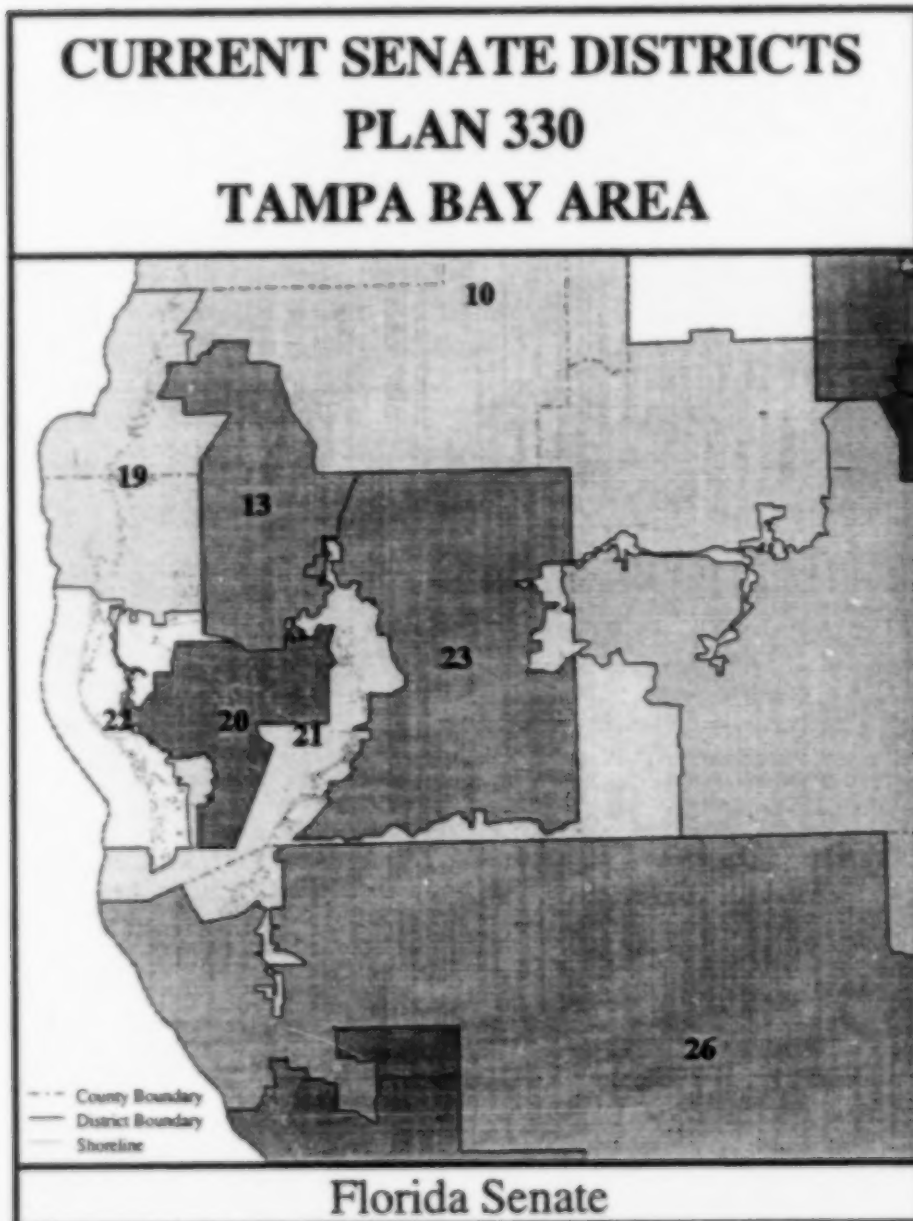
Attachment 5:
C. Martin Lawyer, III - Plan 382 (Tampa Bay Area)
[Black & white depiction of color original]



TAB 9: DISTRICT MAPS

Attachment 6:

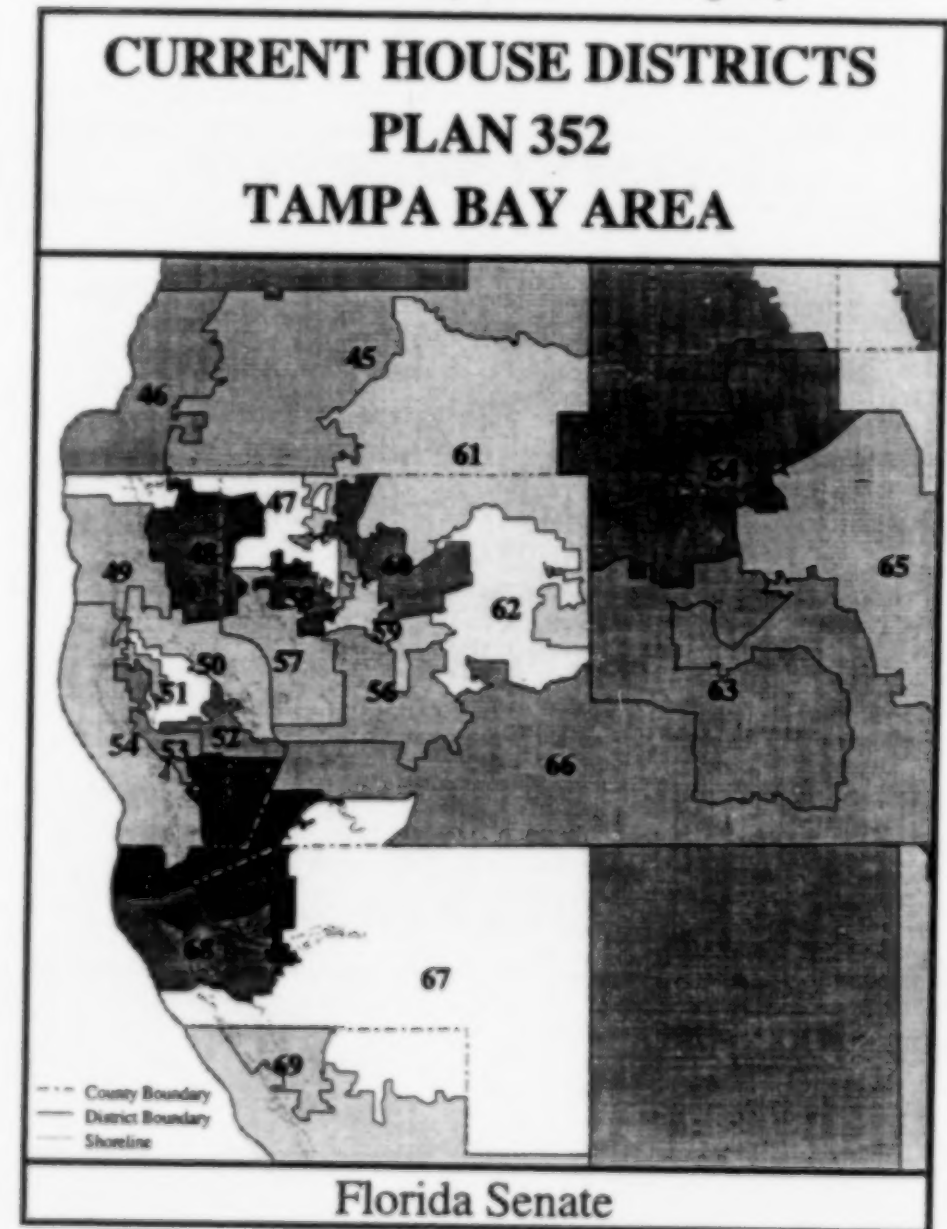
Current [1992] Senate Districts - Plan 330 (Tampa Bay Area)
[Black & white depiction of color original]



TAB 9: DISTRICT MAPS

Attachment 7:

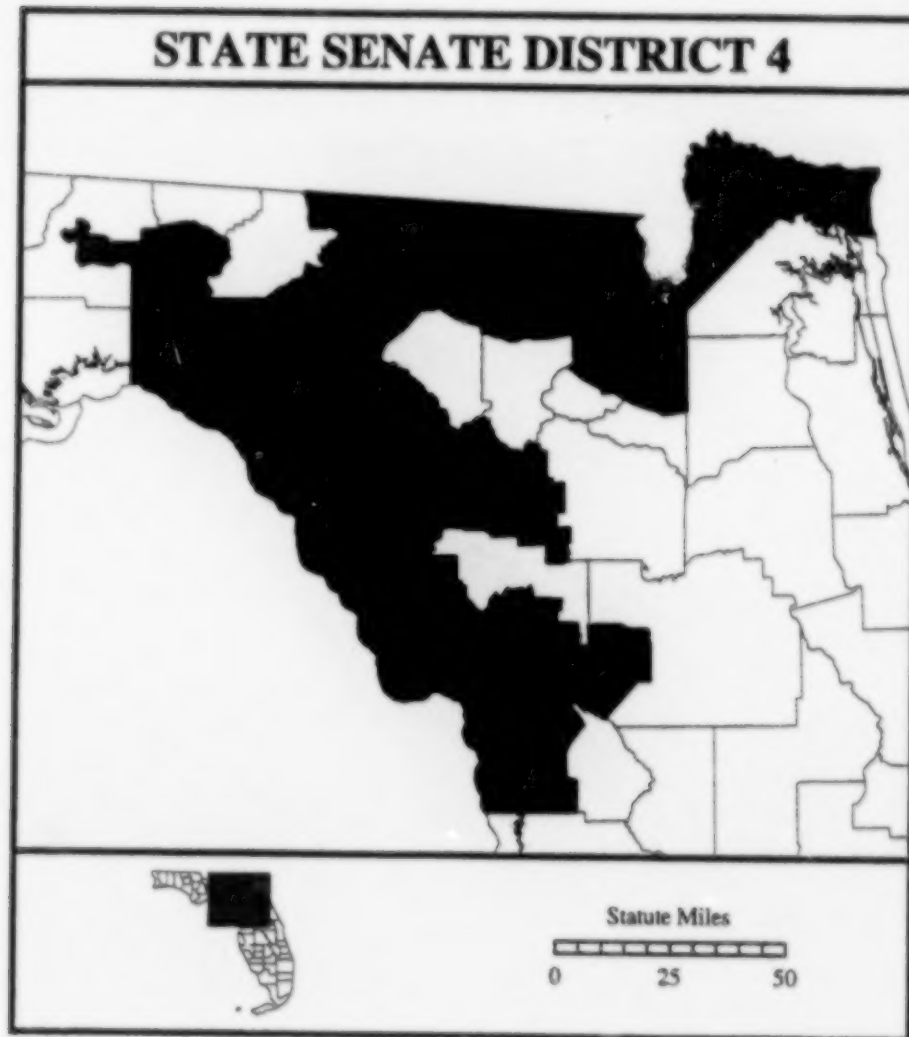
Current [1992] House Districts - Plan 352 (Tampa Bay Area)
[Black & white depiction of color original]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 8

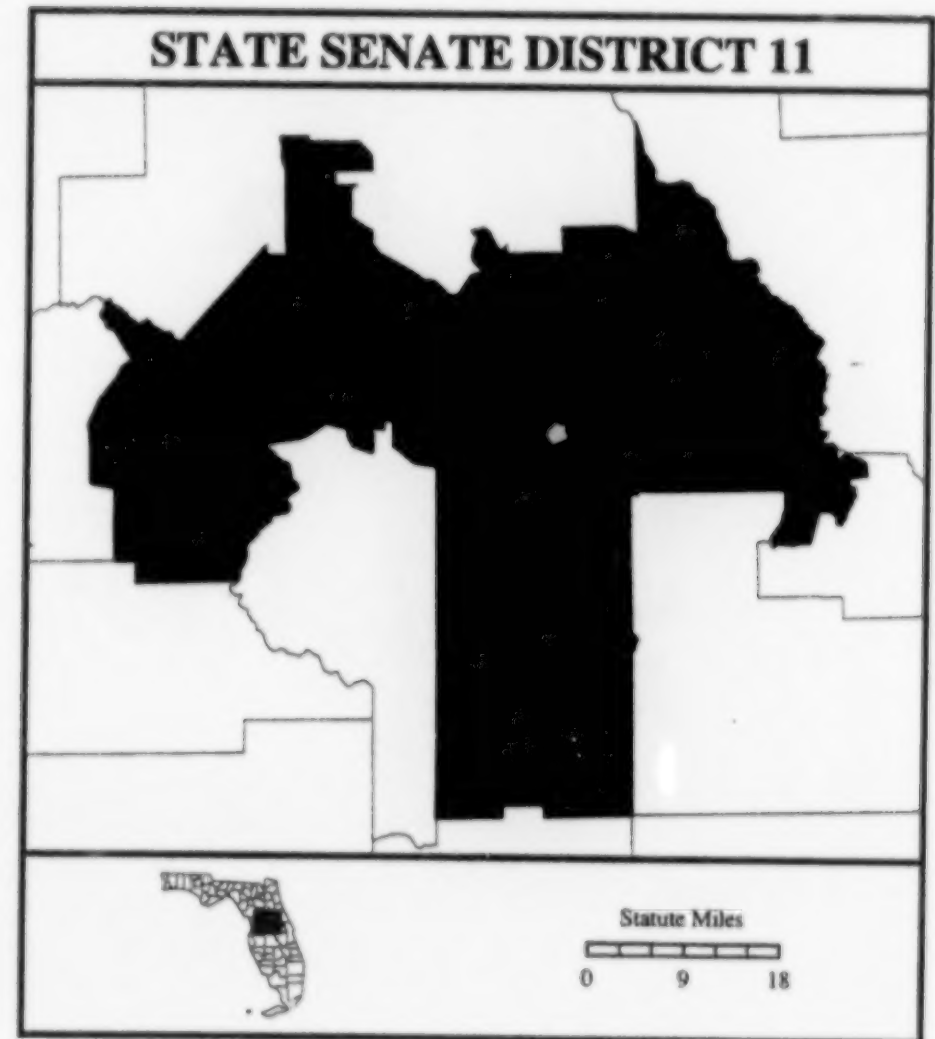
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 9

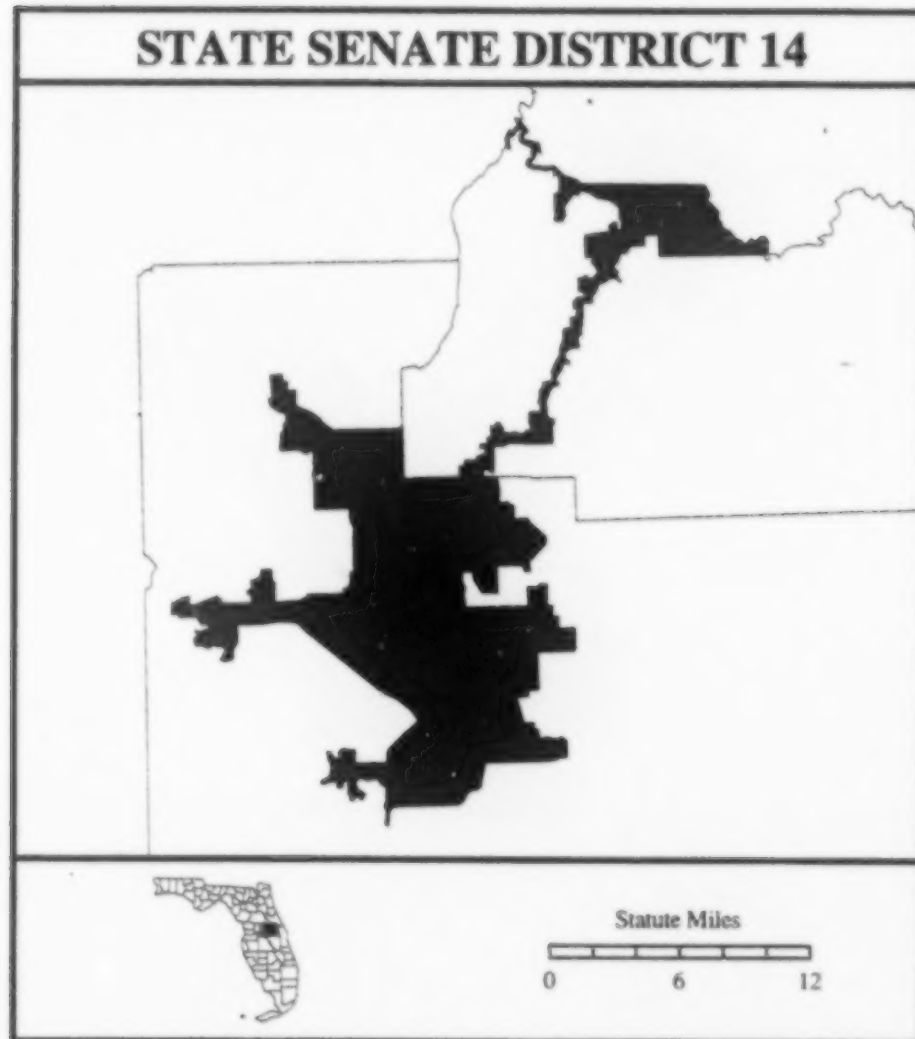
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 10

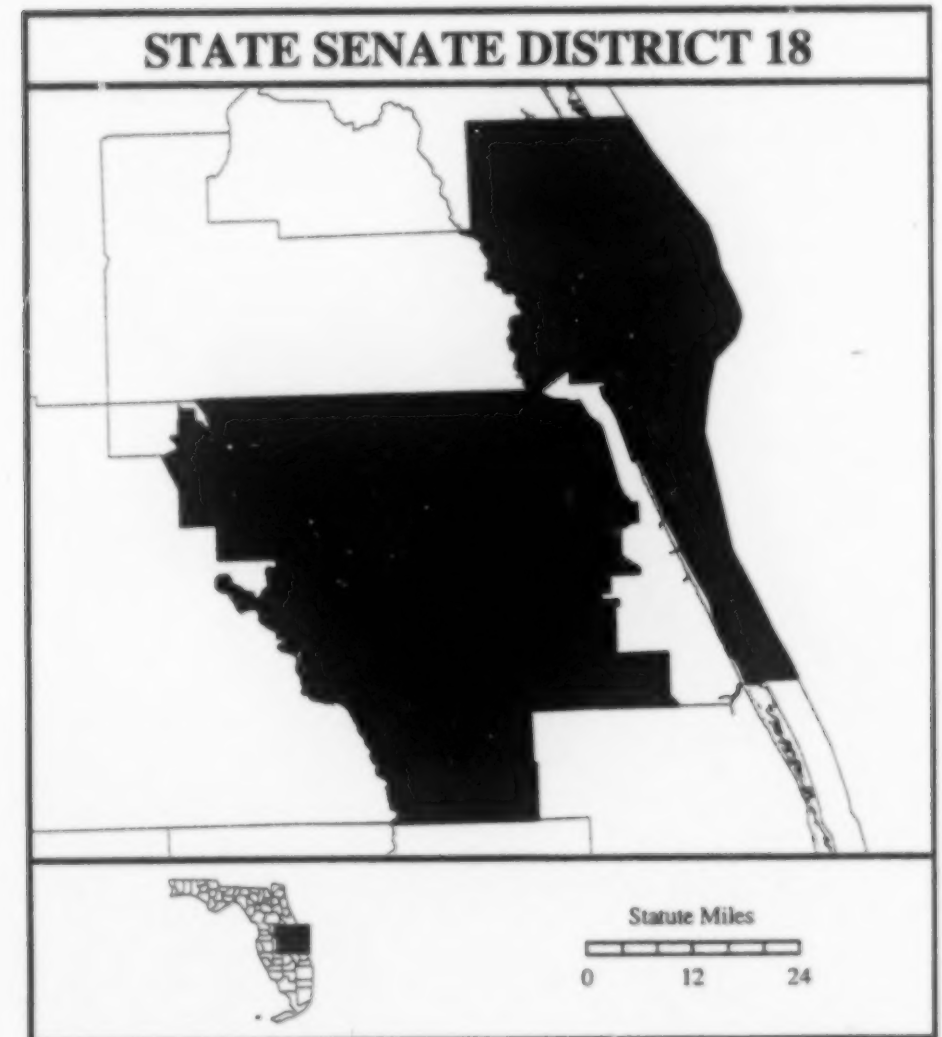
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 11

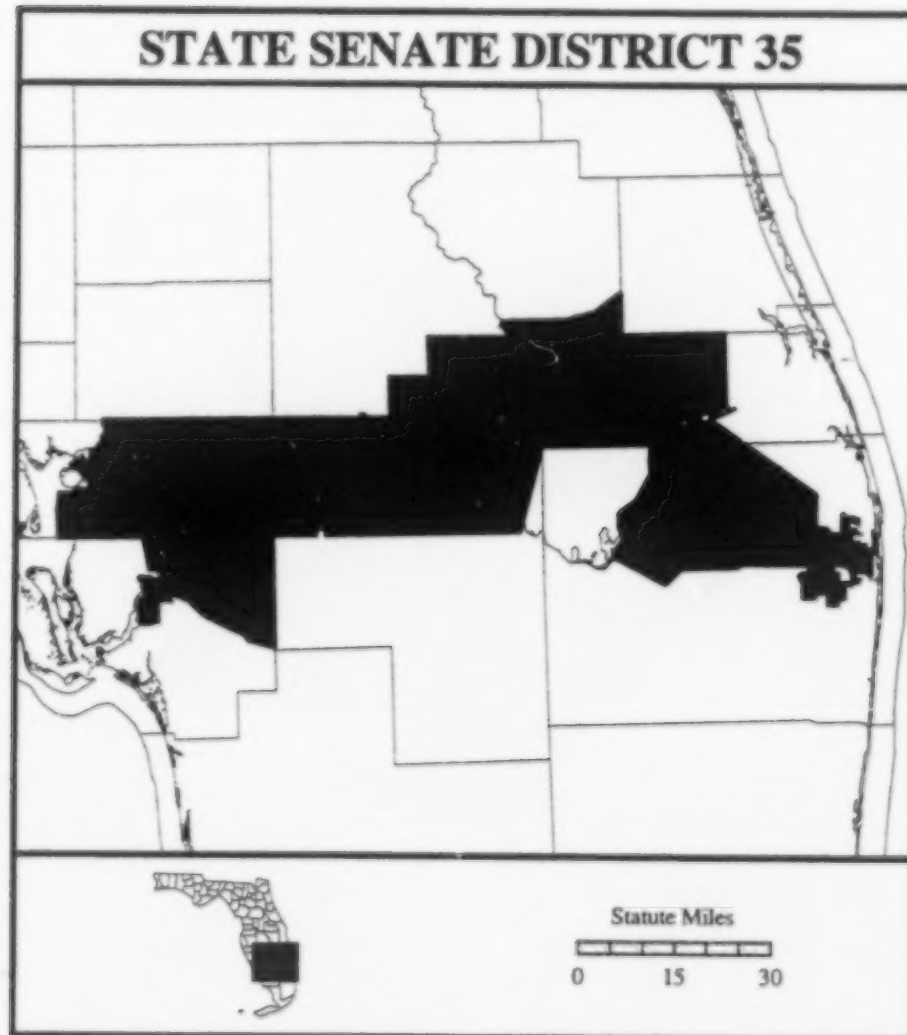
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 12

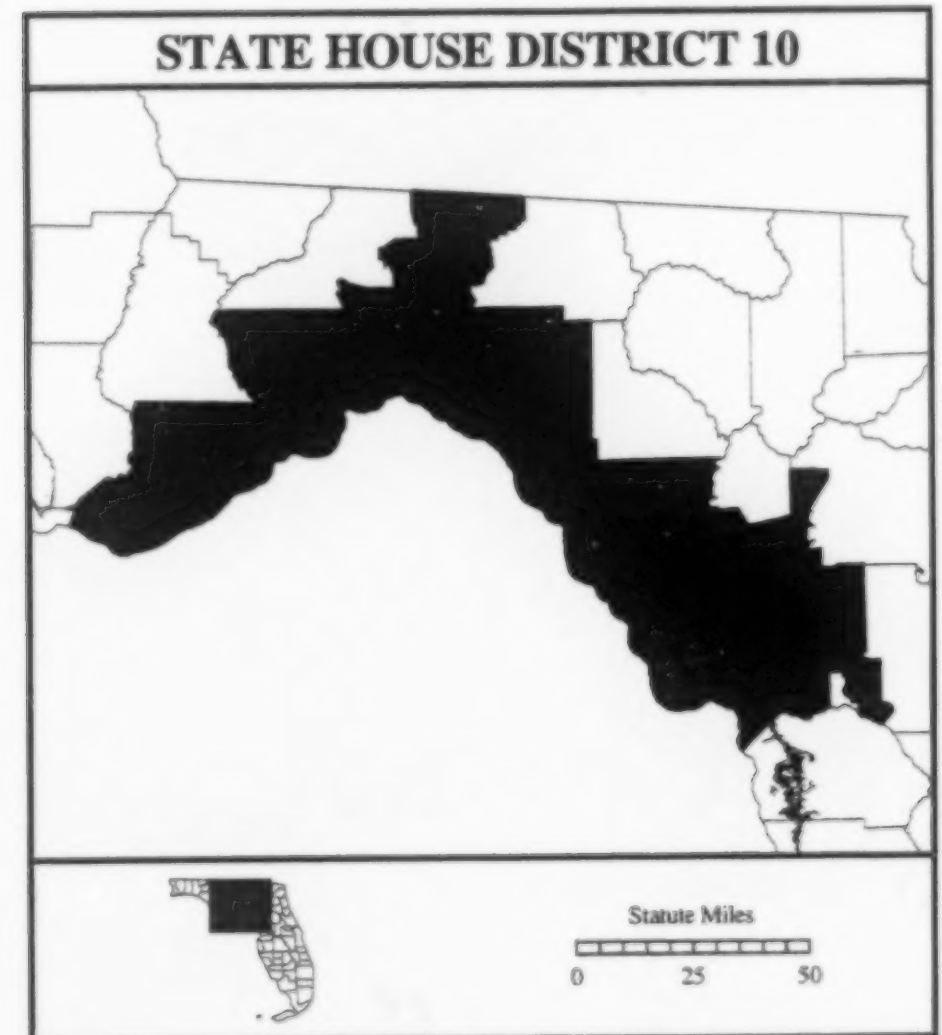
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 13

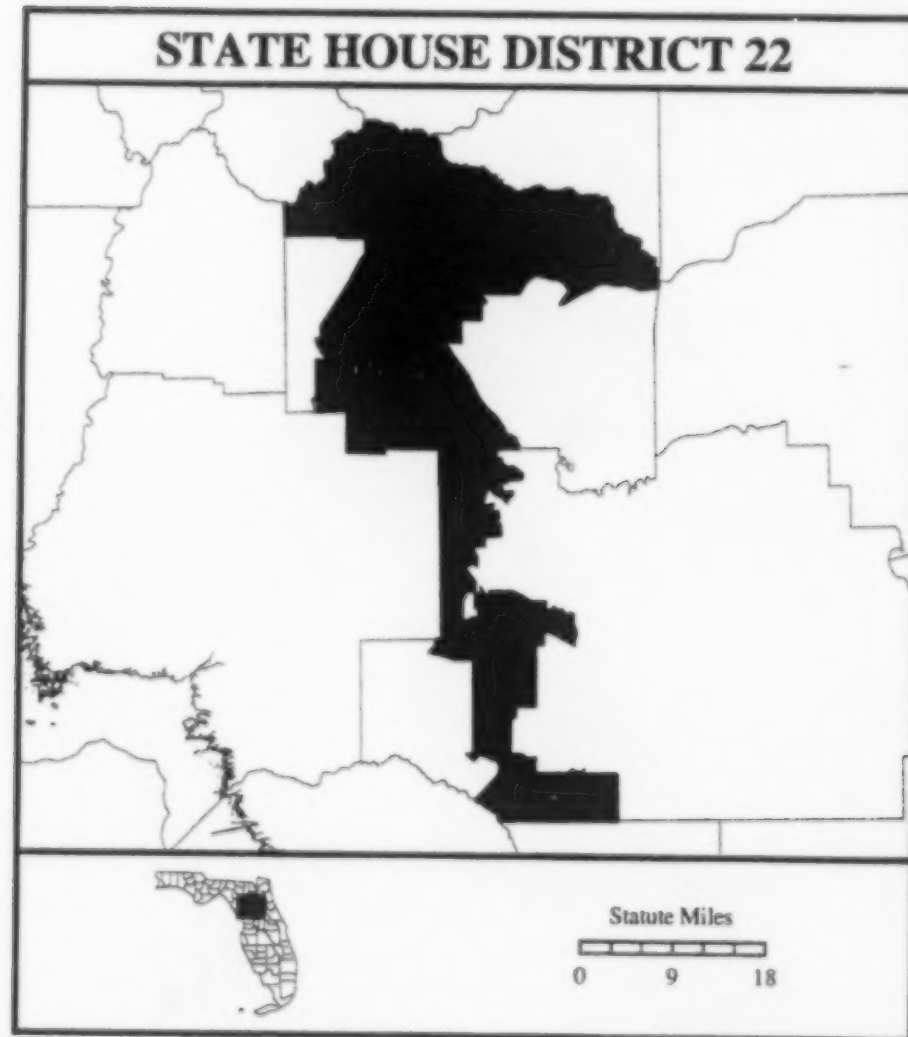
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 14

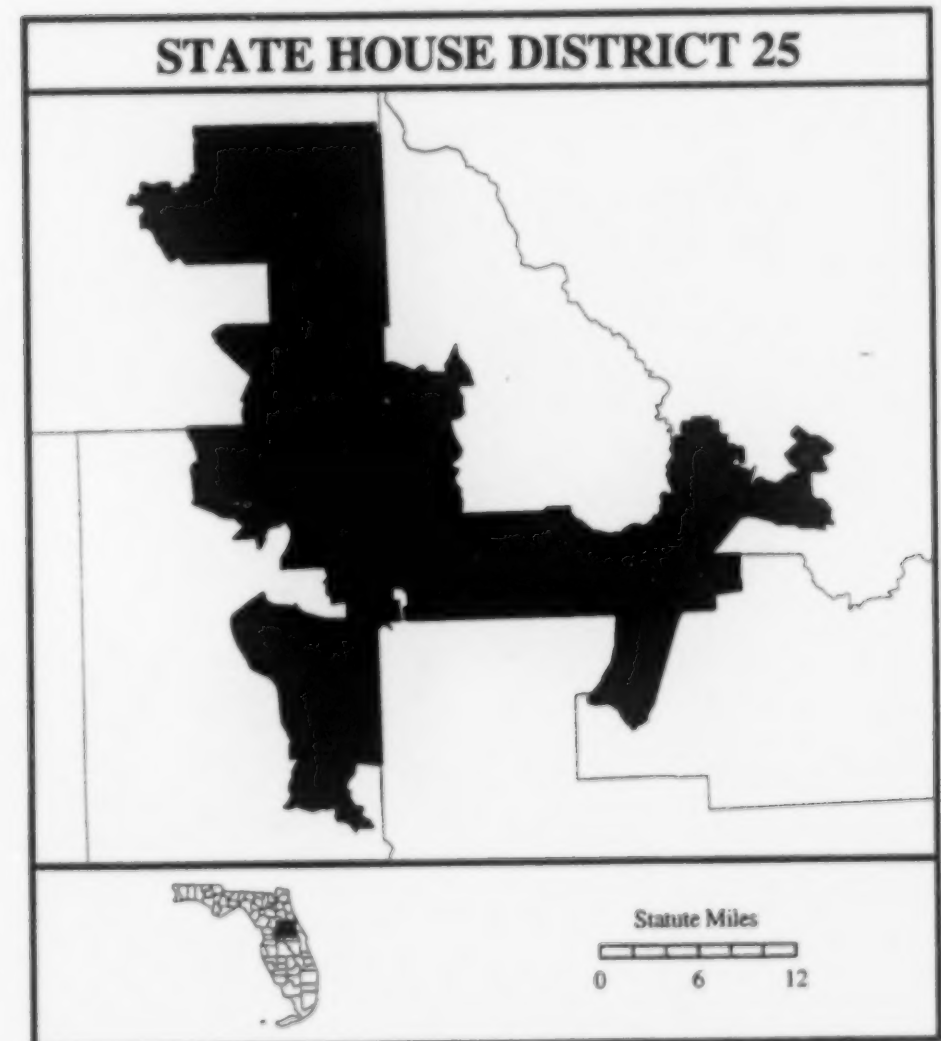
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 15

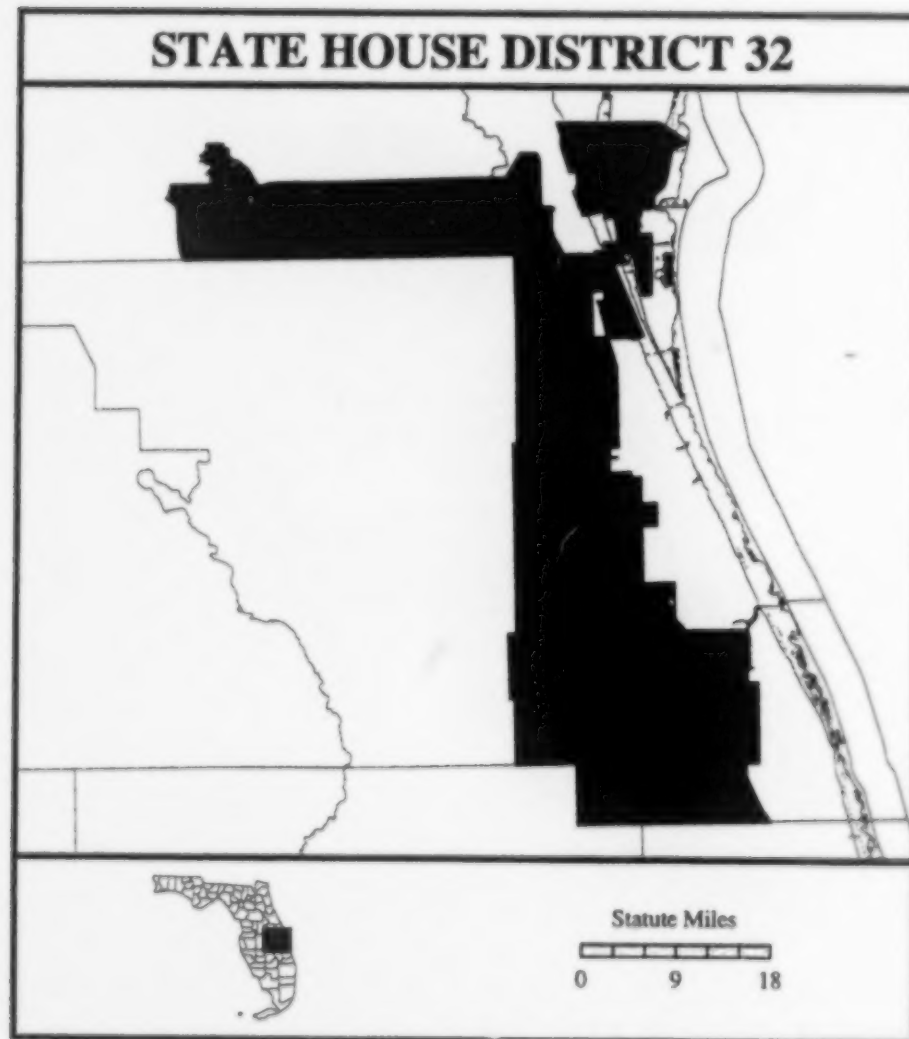
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 16

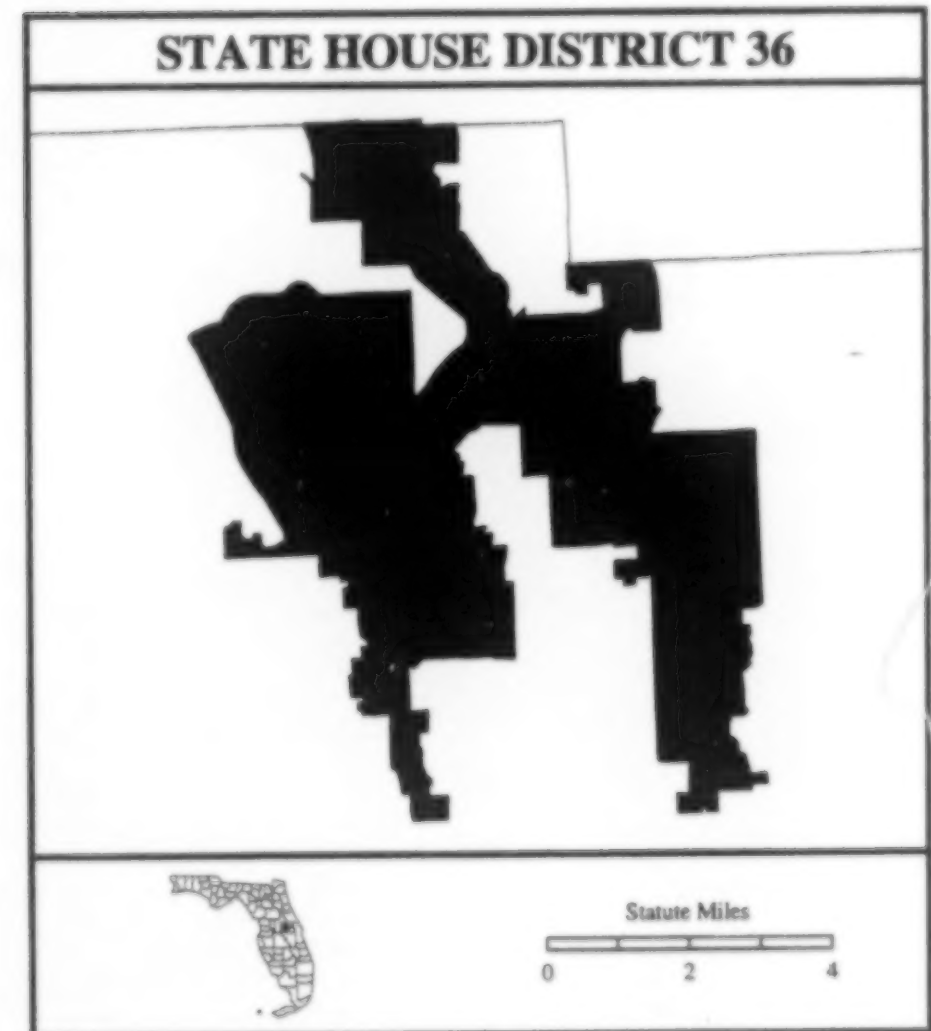
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 17

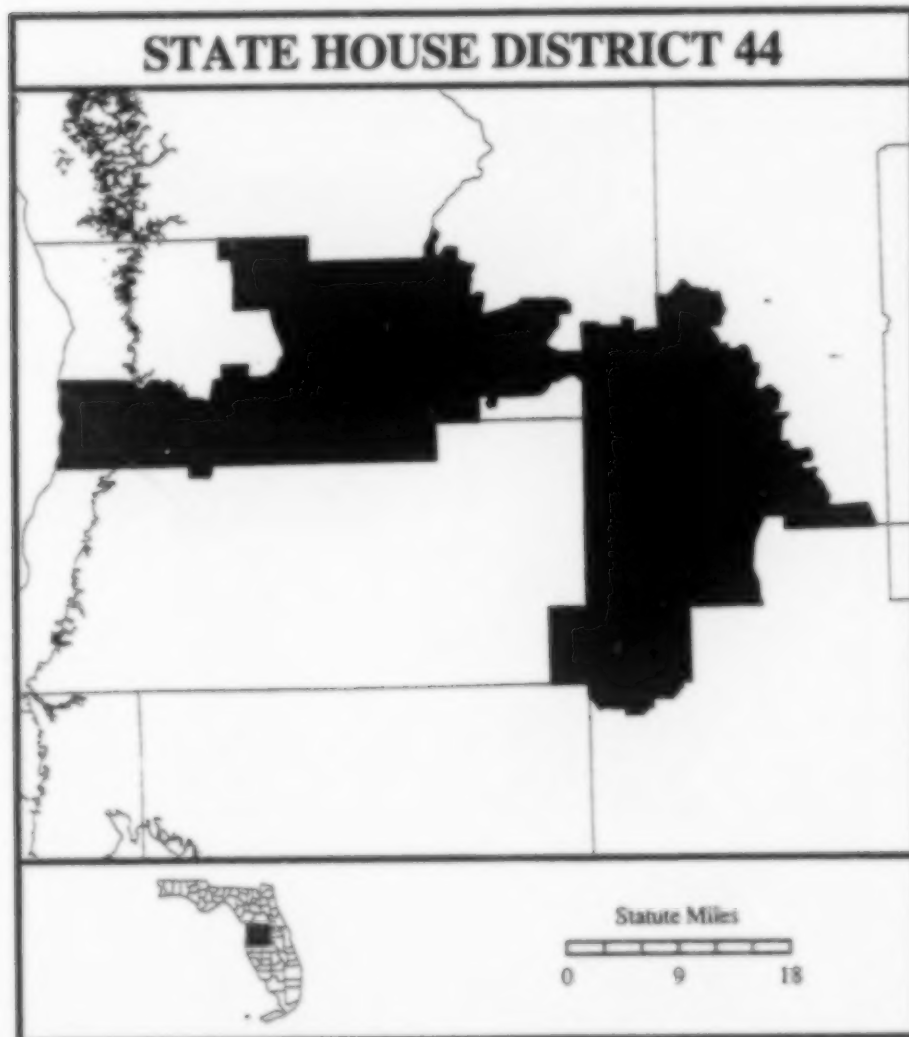
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 18

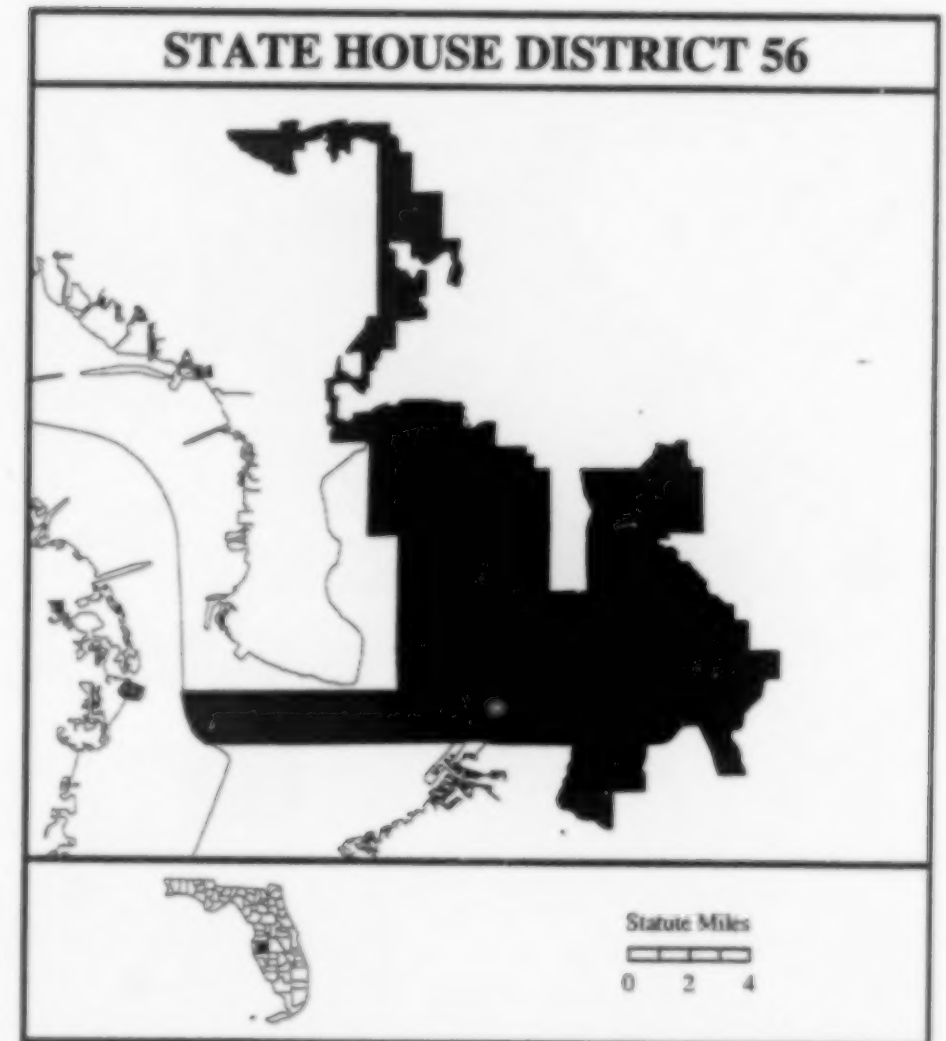
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 19

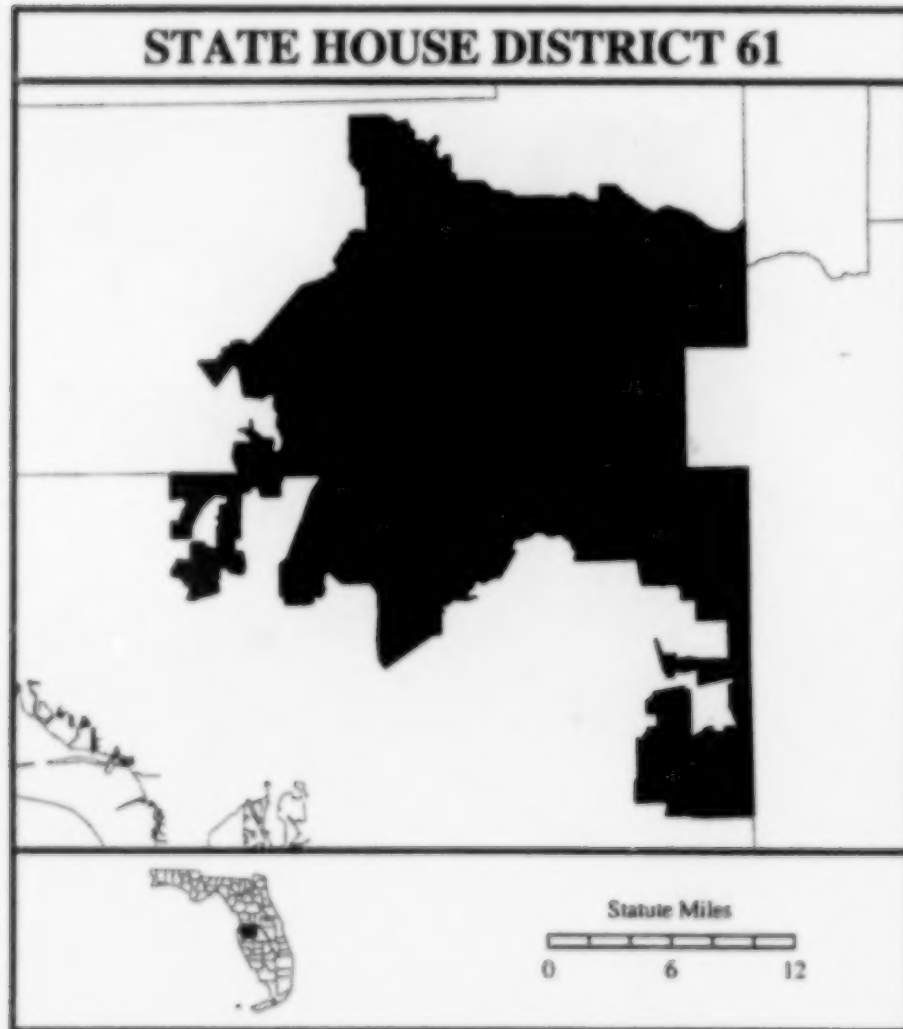
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 20

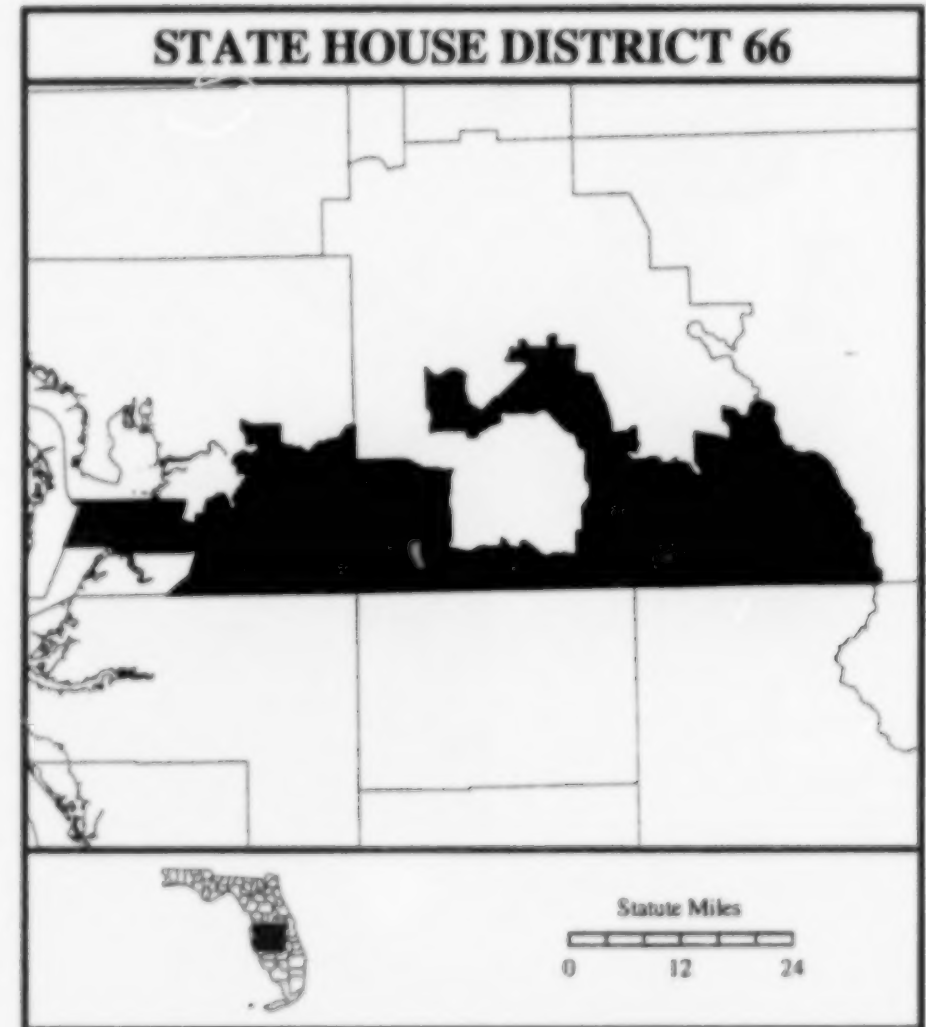
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 21

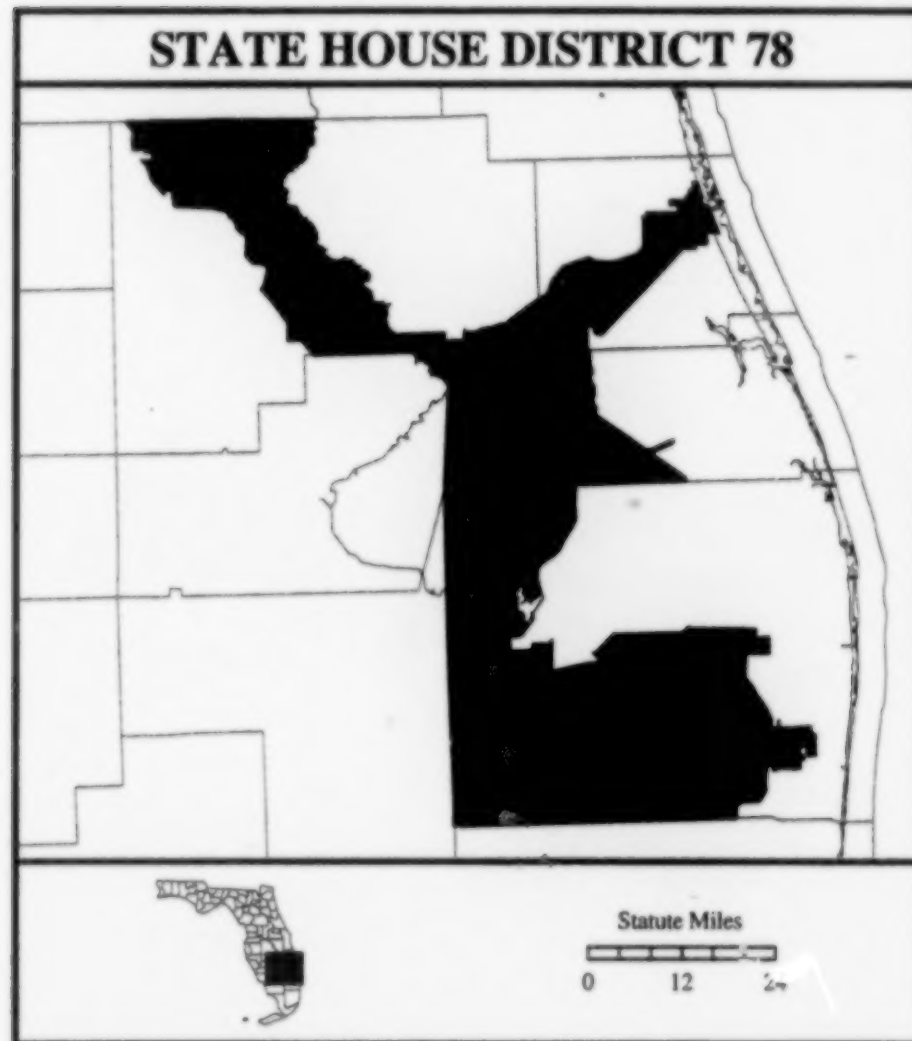
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 22

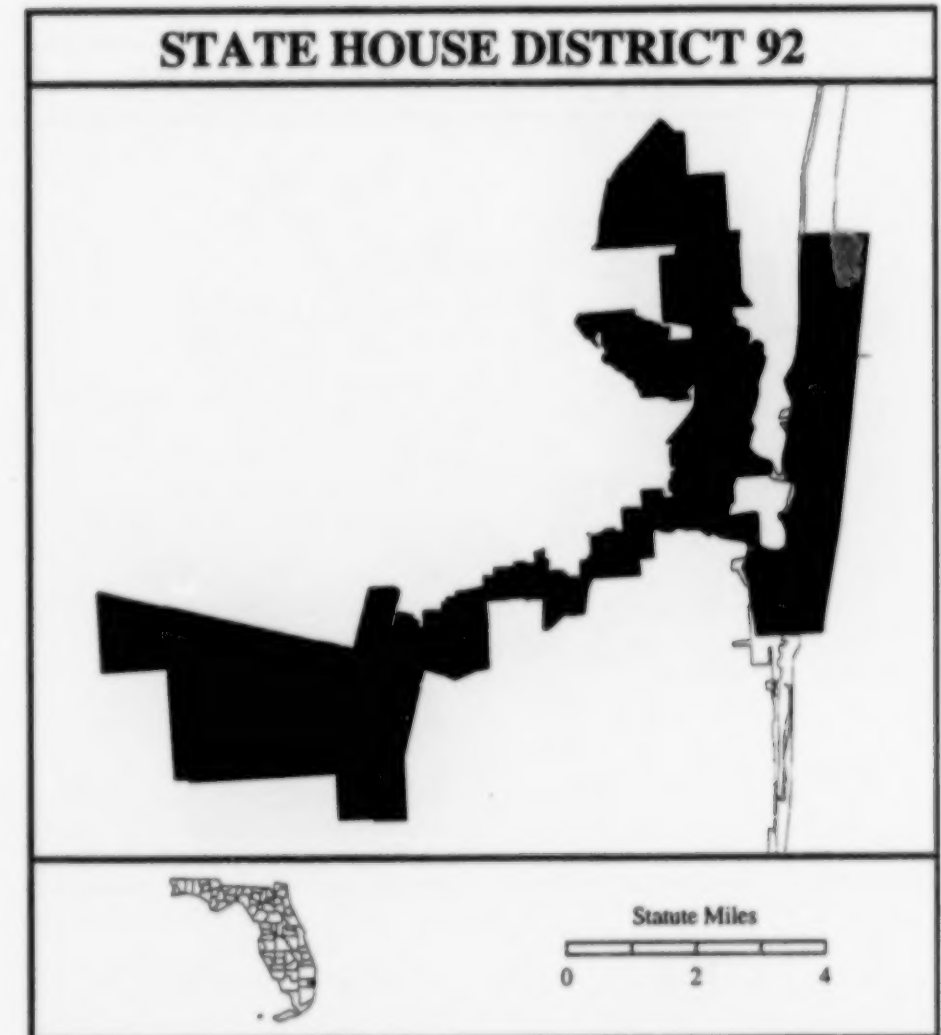
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 10: UNUSUALLY-SHAPED DISTRICTS

Attachment 23

[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 11: COMPARISON OF DISTRICT 21
IN SETTLEMENT PLAN AND LAWYER PLAN

Attachment 24

[Black & white depiction of color original; census tract
lines removed and legend box modified to fit smaller format]



TAB 11: COMPARISON OF DISTRICT 21
IN SETTLEMENT PLAN AND LAWYER PLAN

Attachment 25

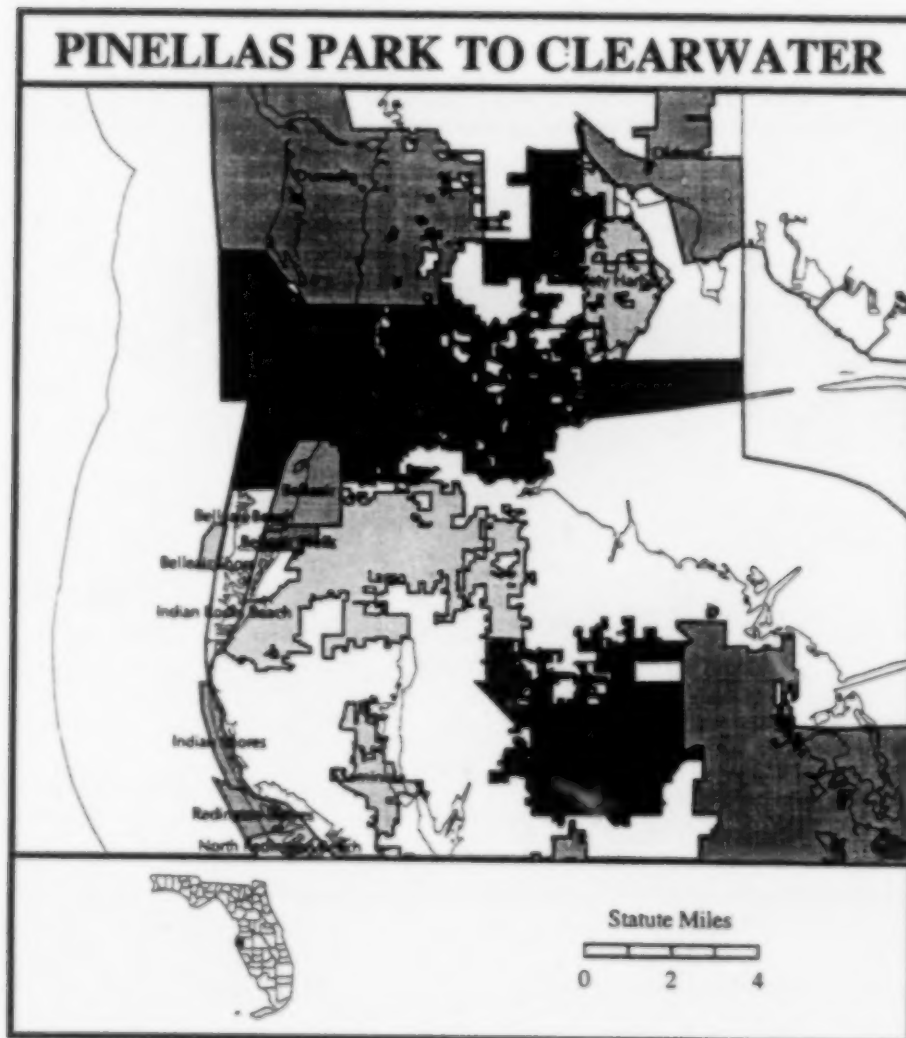
[Black & white depiction of color original; census tract
lines removed and legend box modified to fit smaller format]



TAB 12: MUNICIPAL BOUNDARIES

Attachment 26

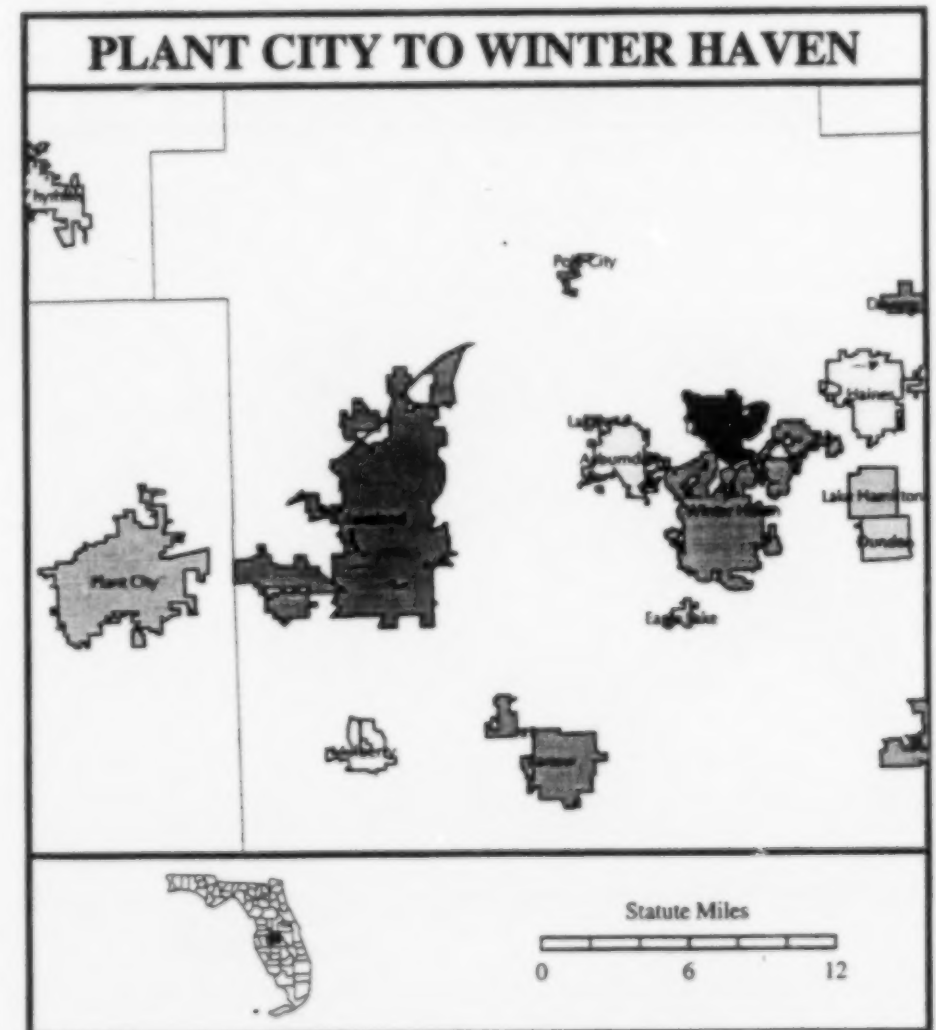
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 12: MUNICIPAL BOUNDARIES

Attachment 27

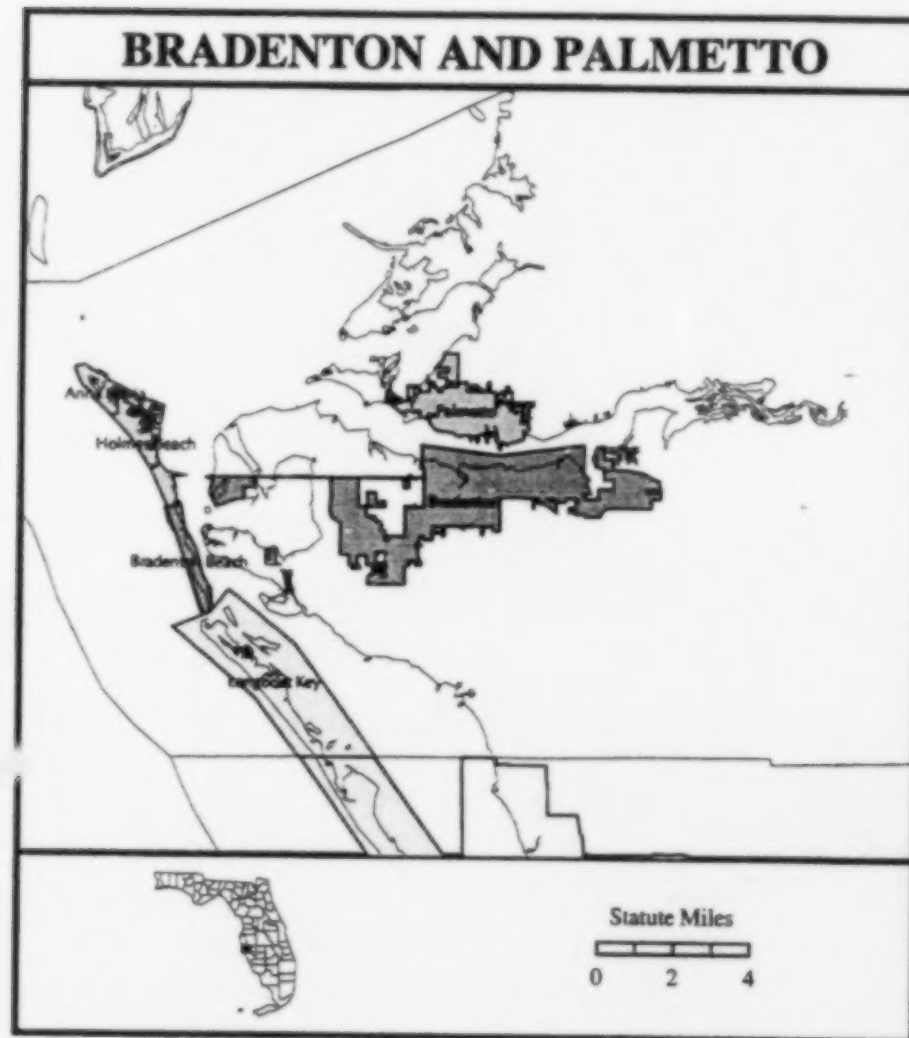
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 12: MUNICIPAL BOUNDARIES

Attachment 28

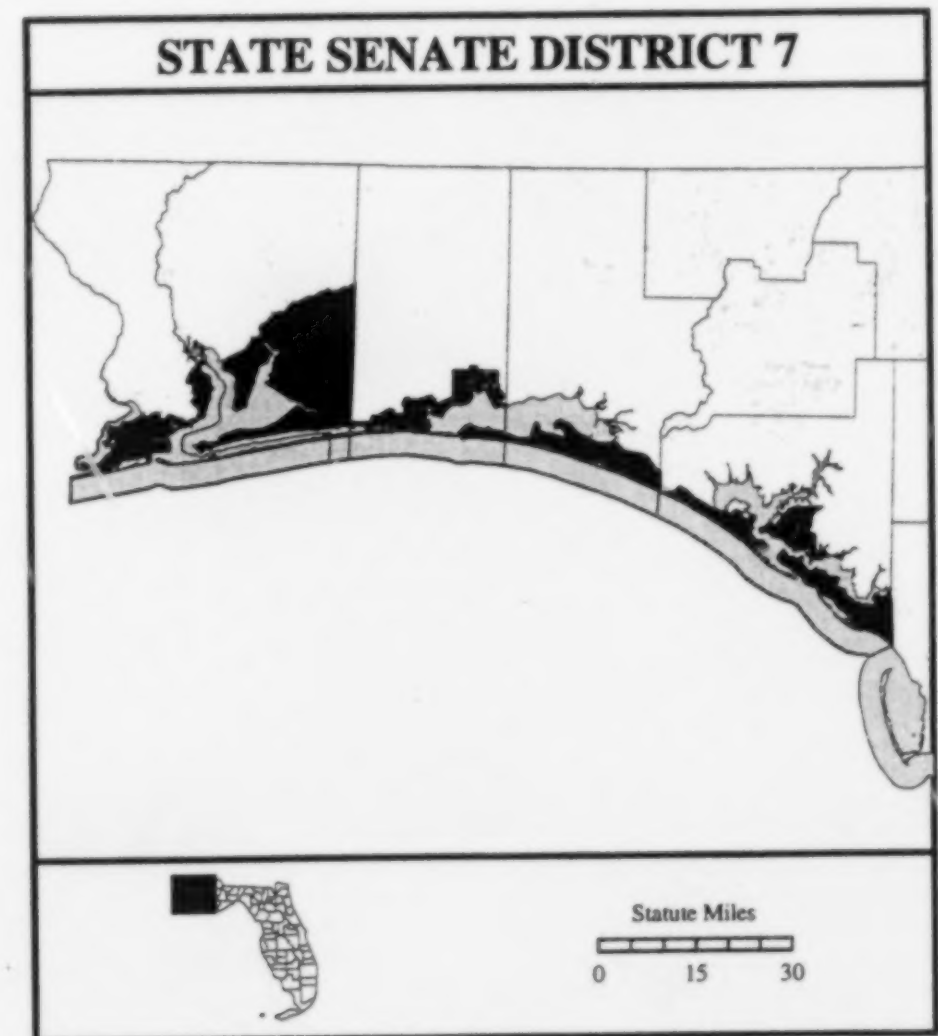
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format]



TAB 13: CONTIGUITY ACROSS BODIES OF WATER

Attachment 29

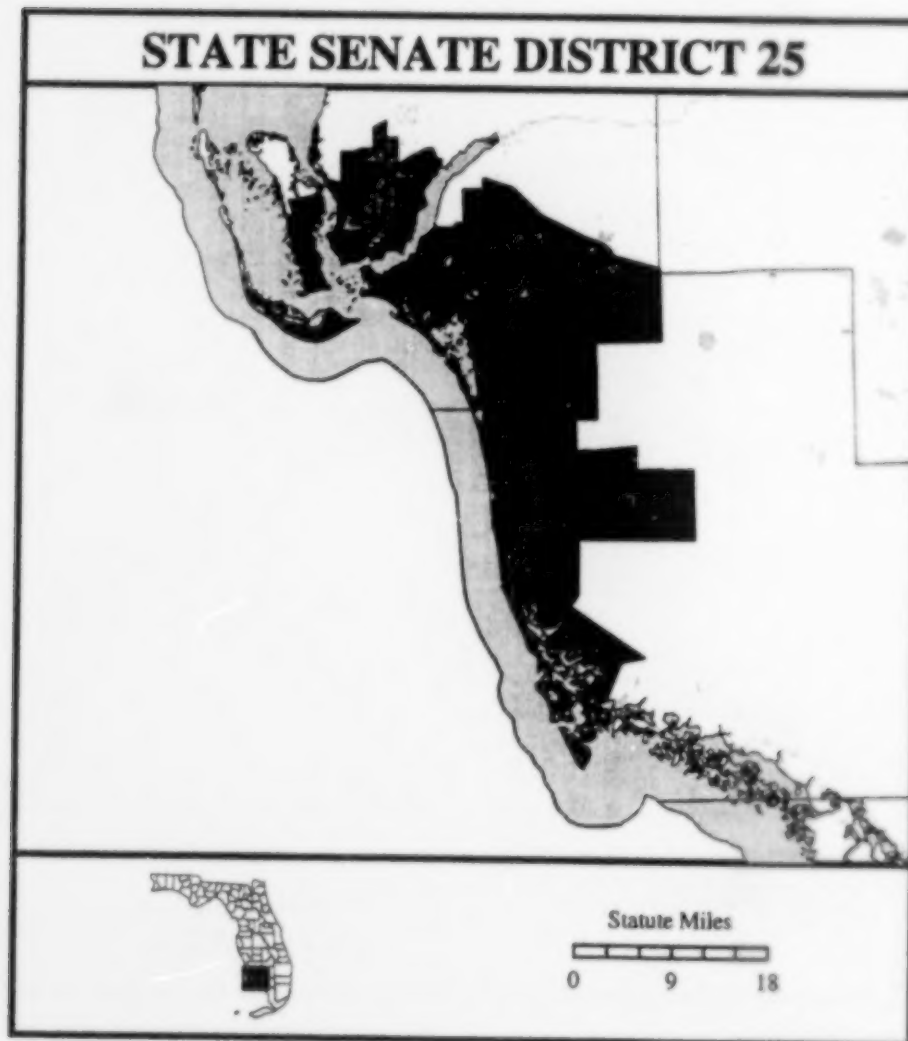
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format; land within district depicted in dark gray, water in light gray]



TAB 13: CONTIGUITY ACROSS BODIES OF WATER

Attachment 30

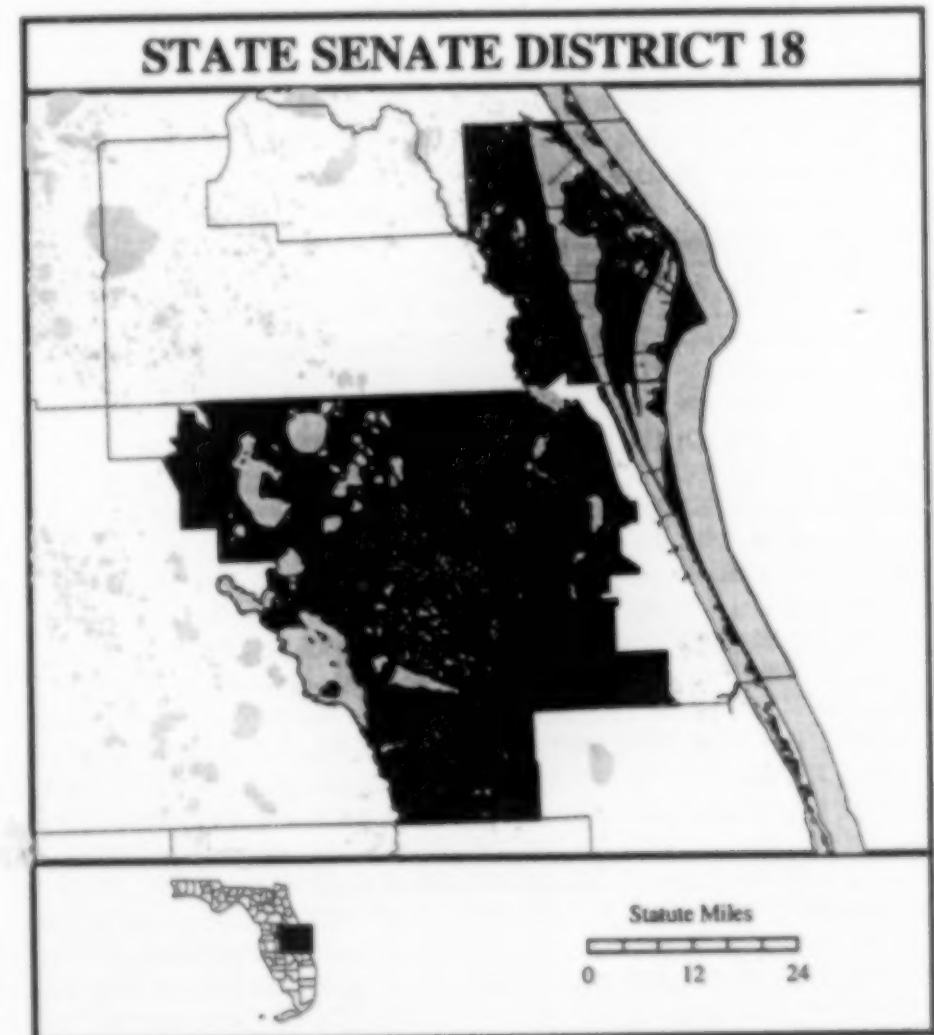
[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format; land within district depicted in dark gray, water in light gray]



TAB 13: CONTIGUITY ACROSS BODIES OF WATER

Attachment 31

[Black & white depiction of color original; census tract lines removed and legend box modified to fit smaller format; land within district depicted in dark gray, water in light gray]



TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

Note: "Plan 386" would modify districts 13, 17, 19, 21, 22 and 23 of the Senate apportionment plan set out in s. 3, Senate Joint Resolution 2G (1992), as amended by *In re Constitutionality of Senate Joint Resolution 2G, Special Apportionment Session 1992*, 601 So 2d 543 (Fla. 1992). The remaining 34 Senate districts would not be affected.

(1) District 13 is composed of:

(a) That part of Hillsborough County made up of tract(s) 4, 5, 14, 15, 59, 110.01, 110.03, 111.01, 111.02, 112.03, 112.04, 112.05, 112.06, 113.01, 113.02, 114.02, 114.03, 114.04, 114.05, 115.01, 115.02, 115.03, 116.01, 116.02, 116.03, 116.04, 116.05, 117.02, 117.03, 117.04, 118.01, 118.02, 119.01, 119.02; of tract 6 block(s) 107, 108, 128, 137, 142, 143, 144, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 232, 233, 234, 235, 236, 237, 240, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 439, 440, 441, 442, 444, 445, 446; of tract 12 block(s) 301, 302, 303, 304, 305, 306, 308, 309, 310, 313, 315, 316, 317, 320, 401, 402, 403, 404, 407, 408, 409, 410, 411, 414; of tract 13 block(s) 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 401, 402, 403, 404, 405, 406, 407, 411, 412, 413, 414, 415, 416, 417, 418, 419, 502, 503, 504, 505, 506, 507, 508, 509, 510, 512, 513, 514; of tract 26 block(s) 106, 108, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 201, 202, 203, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 312, 313, 401, 402, 403, 404, 407, 408, 507, 508, 509, 510, 511, 512, 513, 514, 515, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 715, 716, 717, 718, 719, 801, 802A, 802B, 802C, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 899; of tract 46 block(s) 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 327, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 411, 412, 433; of tract 47 block(s) 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 301, 302, 303, 304, 306, 307, 309, 311, 312, 313, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 425, 426, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 525, 527, 529, 533, 534; of tract 48 block(s) 501, 502, 503, 519, 601, 602, 603, 604; of tract 57 block(s) 301, 302, 303, 304, 305, 306, 309, 310, 311, 312, 313, 314, 315, 316, 317, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520; of tract 102.01 block(s) 201, 202, 203, 204, 399E, 406, 407, 408A, 408B, 409A, 409B, 410A, 410D, 411, 412, 413,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

414A, 414B, 424A, 425A, 425B, 426A, 427A, 499A, 499E; of tract 108.05 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211A, 211B, 212, 213, 214A, 214B; of tract 108.07 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121; of tract 110.04 block(s) 101, 102, 103, 104, 105, 106A, 106B, 107, 108A, 108B, 109, 110, 111, 112, 118A, 201, 202, 203, 204, 205, 206A, 206B, 207A, 207B, 208A, 208B, 209A, 209B, 209C, 209D, 209E, 210A, 210B, 210C, 211A, 211B, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224A, 299, 301A, 301B, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 399, 401, 402, 403, 404, 405, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513A, 516, 517; of tract 119.03 block(s) 510, 511, 512, 524, 525A, 525B, 526A, 526B, 527, 528, 601, 602B, 603, 605, 606, 607, 608, 609, 611, 616A, 616B, 701, 702, 706, 712, 713.

(b) That part of Pasco County made up of tract(s) 310, 313, 316, 317.01; of tract 309 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 199, 201, 202, 203A, 203B, 203C, 203D, 204, 205, 206, 224A, 224B, 225A, 225B, 228A, 228B, 229A, 229B, 237A, 237B, 237C, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269A, 269B, 270A, 270B, 271A, 271B, 272, 273, 274, 275, 276, 277, 278, 279A, 279B, 299, 501A, 501B, 502A, 502B, 503, 504, 505, 506, 507, 508, 509, 510A, 510B, 510C, 511, 512, 513, 514, 515; of tract 312.02 block(s) 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 199, 218, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 299; of tract 317.02 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 140, 141, 142, 143, 144, 145, 146, 147, 148, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 199.

(2) District 17 is composed of:

(a) That part of Highlands County made up of BNA(s) 9601, 9602, 9603, 9604, 9605, 9607, 9608, 9609, 9610, 9611; of BNA 9606 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371A, 371B, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 399; of BNA 9612 block(s) 101A, 101B, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 201, 202, 203, 204, 205, 226, 306.

(b) That part of Okeechobee County made up of BNA(s) 9901, 9902, 9903.

(c) That part of Polk County made up of tract(s) 101, 102, 104, 105, 107, 108, 109, 110, 117.03, 117.04, 118.03, 125, 126, 127, 134, 135, 137.01, 137.02, 138.01, 138.02, 139.01, 139.02, 140.01, 140.02, 141, 141.01, 141.02, 142, 143, 144, 145, 146, 147, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160; of tract 103 block(s) 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 201A, 201B, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233A, 233B, 234A, 234B, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244A, 244B, 245, 246, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333; of tract 106.01 block(s) 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227A, 227B, 228A, 228B, 229, 230, 231, 232, 233, 234, 237, 238; of tract 106.02 block(s) 101, 102A, 102B, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112A, 112B, 112C, 112D, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141A, 199A, 199B, 199C, 199D, 199E, 199F, 199G, 199H, 199J, 199K; of tract 111 block(s) 113, 114, 115, 116, 117, 118, 119, 211, 301, 302A, 302B, 302C, 303, 304, 305, 306, 307, 308, 309, 310A, 310B, 311, 312, 313A, 313B, 314, 315, 316, 317, 318, 319, 320, 321A, 321B, 321C, 322, 323, 324, 325, 326; of tract 112.02 block(s) 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 118, 119, 120, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 304, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 322, 323, 324, 325, 326, 327, 328, 330; of tract 113 block(s) 210, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227; of tract 117.02 block(s) 103A, 103B, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 201, 202A, 202B, 202C, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312; of tract 120.98 block(s) 101, 102, 103, 104, 105A, 105B, 105C, 105D, 105E, 105F, 105G, 105H, 106A, 107A, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120A, 121, 122, 123, 124, 125, 126, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147A, 147B, 147C, 148, 149A, 149B, 154A, 154B, 155, 156, 157, 158, 181, 185, 188, 189, 190, 401, 402, 403, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421A, 421B, 421C, 421D, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 440A, 440B, 441, 442A, 442B, 443A, 443B, 444A, 444B, 445A, 445B, 446A, 446B, 447, 448, 449, 450, 451, 452A, 452B, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

463, 464, 465, 466, 467; of tract 128 block(s) 217, 218, 219, 222A, 222B, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232A, 232B, 233, 234, 235, 236, 237, 238, 239; of tract 129 block(s) 101A, 101B, 101C, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 199, 201A, 201B, 201C, 202, 203, 204A, 204B, 205, 206, 299A, 299B, 299C, 302, 304, 305, 306, 309, 310, 311, 312, 313, 314, 315, 318, 319, 320, 323, 324, 325, 326, 327A, 327B, 327C, 327D, 328A, 328B, 329, 332B, 399A, 399C, 401A, 401B, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 413, 462, 464; of tract 130 block(s) 114, 125A, 125B, 130C, 132; of tract 131 block(s) 423A, 423B; of tract 132 block(s) 101A, 101B, 101C, 102A, 102B, 103, 104, 105, 106, 107, 108, 109, 110, 111A, 111B, 112A, 112B, 113A, 113B, 113C, 114, 115A, 115B, 116A, 116B, 116C, 116D, 117, 118, 119, 120, 121, 122, 123, 124A, 124B, 125, 126, 127, 201, 218, 219, 234; of tract 133 block(s) 101A, 101B, 102A, 102B, 103A, 103B, 103C, 104, 105, 106A, 106B, 107A, 107B, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 131, 132, 199, 201A, 201B, 201C, 202A, 202B, 202C, 202D, 202E, 202F, 202G, 203A, 203B, 203C, 203D, 203E, 203F, 203G, 204A, 204B, 205C, 207A, 207C, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315; of tract 136 block(s) 102, 103, 104, 105, 106, 107C, 108, 109, 110, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121A, 121B, 122A, 122B, 122C, 123, 124, 125, 126, 127A, 127B, 127C, 128, 129, 199, 201A, 201B, 201C, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216A, 216B, 216C, 299, 301A, 301B, 301C, 301D, 302, 303, 304, 305A, 305B, 306A, 306B, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322A, 322B, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 499; of tract 148.98 block(s) 101, 102A, 102B, 103, 104A, 104B, 104C, 104D, 105, 106, 107, 108, 109, 110, 111, 112, 113, 119, 122A, 122B, 122C, 123, 124, 126A, 126B, 192, 193, 197, 199A, 201, 203A, 203B, 203C, 204A, 204C, 204D, 205, 206, 207A, 207B, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290A, 290B, 291, 299A, 299B, 299C, 299D, 301A, 301B, 302B, 305, 307, 311A, 311B, 312A, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336A, 336C, 338, 351, 352A, 354A, 357, 358, 359, 360, 361, 399A, 399B, 402A, 403, 404, 405, 406, 407, 408, 409, 410, 412, 413A, 414A, 415.

(3) District 19 is composed of:

(a) That part of Pasco County made up of tract(s) 301, 302, 303, 304, 305, 306, 307, 308, 311, 314, 315; of tract 309 block(s) 207A, 207B, 207C, 207D, 207E, 207F, 207G, 207H, 208, 209A, 209B, 209C, 210, 211A, 211B, 212A, 212B, 212C,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

212D, 212E, 212F, 212G, 212H, 213, 214A, 214B, 215A, 215B, 216, 217, 218, 219, 220, 221, 222, 223, 226, 227, 230, 231, 232, 233, 234, 235, 236, 280, 281A, 281B, 282, 283, 284, 285, 286, 287, 288, 289, 290A, 290B, 291, 292A, 292B, 293, 294, 295, 296, 297, 301, 302, 303, 304, 305, 401, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653A, 653B, 654, 655A, 655B, 656, 657, 658, 659, 660, 661, 662, 663, 699; of tract 312.01 block(s) 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 210, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 428, 429, 430, 431, 432; of tract 317.02 block(s) 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 149, 150, 151, 152.

(b) That part of Pinellas County made up of tract(s) 262, 267.01, 267.02, 268.04, 268.05, 268.07, 268.08, 268.10, 268.11, 268.12, 268.13, 269.03, 269.04, 269.05, 269.06, 269.07, 270, 271.01, 271.02, 271.03, 272.01, 272.02, 272.04, 272.05, 272.06, 272.07, 272.08, 273.01, 273.05, 273.06, 273.07, 273.08, 273.09, 273.10, 274.01, 274.02, 274.03, 275.01, 275.02; of tract 253.03 block(s) 108C, 111, 112, 116A, 116B, 117, 131, 132, 133, 134, 143, 144, 145A, 145B, 146, 147, 199E; of tract 253.05 block(s) 101A, 117; of tract 254.06 block(s) 165, 166B, 166C, 172A, 172B, 173A, 175, 179; of tract 255.04 block(s) 101A, 101B, 101C, 102A, 102B, 102C, 102D, 102E, 122A, 122B, 123, 124, 125, 126, 127, 199; of tract 256.01 block(s) 128, 201, 202, 212, 401, 424, 425, 426, 427, 428, 430; of tract 256.02 block(s) 101, 102A, 102B, 103A, 103B, 103C, 104, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 303, 304, 306, 307, 326; of tract 258 block(s) 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 303, 305, 318, 399; of tract 259.01 block(s) 224; of tract 259.02 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 128, 129, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 301, 314, 601, 602, 603, 604; of tract 261 block(s) 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 399, 401, 402, 403, 404, 405, 406, 407, 408, 499, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623; of tract 263 block(s) 313, 314, 401, 402, 403, 404A, 404B, 404C, 404D, 404E, 405, 406A, 406B, 407A, 407B, 407C, 407D, 407E, 407F, 408A, 408B, 408C, 408D, 408E, 408F, 409, 410, 411, 412A, 412B, 413, 414, 415, 416, 417, 418A, 418B, 418C, 418D, 418E, 419, 420, 421, 422A, 422B, 422C, 422D, 423, 424, 425A, 425B, 425C, 426, 427, 428, 429, 430, 431, 499A, 499B, 502, 503, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716; of tract 265 block(s) 201B, 201D; of tract 266.02 block(s) 101A, 101B, 102, 103, 104, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 199, 201, 202, 203, 204, 205, 301, 302, 401, 402, 403, 404, 405, 406, 407.

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

(4) District 21 is composed of:

(a) That part of Hillsborough County made up of tract(s) 1, 2, 3, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 53.99, 104.02, 105, 108.06, 108.08, 120.01, 135.01, 138.99; of tract 6 block(s) 101, 102, 103, 104, 105, 106, 109, 111, 112, 117, 118, 119, 120, 121, 122, 123, 124, 129, 130, 131, 132, 133, 134, 135, 136, 141; of tract 12 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 120, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 311, 312, 314, 405, 406, 412, 413, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424; of tract 13 block(s) 101, 102, 103, 104; of tract 26 block(s) 409, 410, 411, 412, 501, 502, 503, 504, 505, 506, 901, 902, 903, 904; of tract 46 block(s) 101, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 126, 127, 128, 129, 201, 202, 203, 204, 206, 207, 208, 209, 210, 211, 212, 213, 214, 410, 414, 415, 416, 417, 418, 419, 429, 430, 431, 432, 501, 504, 505, 506, 507, 510, 511, 512, 513, 514, 515, 516, 529, 530, 531, 532, 533, 534, 535, 536; of tract 47 block(s) 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 201, 202, 203, 204, 205, 206, 207, 208, 308, 310; of tract 48 block(s) 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 201, 202, 203, 204, 205, 206, 207, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 301, 302, 303, 304, 305, 306, 307, 309, 310, 312, 313, 314, 315, 316, 317, 318, 319, 320, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 605, 606, 607, 608, 609, 610, 611, 612, 613, 617, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 731, 732, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823; of tract 49 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 601, 602, 603, 604, 605, 608, 609, 610, 611, 613, 614, 705, 706, 805, 806, 807, 808, 809, 810, 811, 812; of tract 50 block(s) 101, 102, 103, 104, 105, 106, 107, 113, 114, 125, 126, 199A, 199B, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 220, 231, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 701, 702, 703, 704, 706, 707, 708, 709, 710, 711, 712, 713, 714; of tract 51 block(s) 101, 102, 104, 106, 107, 109, 110, 117, 118; of tract 53 block(s) 101, 104, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 215, 218, 219, 220, 221, 222, 223, 224, 225, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318A, 319, 320, 321, 322, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 499, 501, 502, 503A, 504, 505, 506, 507, 599, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 699; of tract 55 block(s) 508, 511, 605, 606, 607, 625, 626, 627; of tract 57 block(s) 101, 102, 103, 104, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 201, 202, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219; of tract 60 block(s) 105; of tract 102.01 block(s) 306, 307, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 354, 355, 356; of tract 102.03 block(s) 903, 904, 905, 906, 908, 909, 910, 911; of tract 103.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 199, 207, 211, 212, 213, 214, 215, 216, 217, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 399A, 399B; of tract 103.02 block(s) 402, 405, 406, 407, 409, 410; of tract 106 block(s) 601, 615, 617, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628; of tract 107 block(s) 801, 802, 803, 830, 831, 832, 833, 834, 835, 836, 838, 839, 840, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954; of tract 108.05 block(s) 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311A, 311B, 312A, 312B, 313A, 313B; of tract 108.07 block(s) 110, 112, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 303, 304, 305, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416; of tract 119.03 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 110B, 111, 112, 113, 114A, 114B, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 133, 134, 135, 136, 137, 138, 139, 140, 142, 146, 602A, 602C, 614A, 614B, 703, 704A, 704B, 705, 707, 708, 709, 710, 711A, 711B, 727, 728, 729, 731, 732, 799; of tract 120.02 block(s) 199B, 201, 202, 203, 204, 205, 206, 207, 299, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 599, 601, 602, 603A, 603B, 606, 607, 608, 609, 610, 611, 613, 614, 615, 616, 620, 622A, 622B, 699A, 699B, 701A, 701B, 702, 703, 704, 705A, 705B, 706A, 706B, 707A, 707B, 708, 709, 710, 711, 712, 713, 714, 715, 804, 805, 806, 807, 808, 810A, 810B, 811, 812, 901, 902, 903A, 903B, 903C, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 999A, 999B, 999C; of tract 121.03 block(s) 104, 199A, 305, 306, 307, 308, 399A, 627, 628, 699A; of tract 122.01 block(s) 999A, 999B; of tract 135.02 block(s) 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 133, 134, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 224, 225, 302, 305, 306, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 333, 334, 335, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 419, 420, 421, 422, 423, 424, 425, 427, 428, 429, 430, 431, 499A, 499B, 499C, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532; of tract 136 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 401, 402, 403, 404, 405, 406, 407, 408, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

911, 913, 914A, 914B, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 955, 957, 958, 959, 999B, 999C, 999D, 999E, 999F, 999G; of tract 137 block(s) 101, 103, 104, 105, 107, 117, 118, 119, 120, 121, 123, 124, 201, 202, 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 308, 309, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 701, 702, 703, 705, 706, 801, 802; of tract 138 block(s) 104, 107, 108, 146, 148, 199A, 199B, 199D, 701, 702, 703, 704, 705, 710, 711, 712, 713, 717, 718A, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 799A, 799B; of tract 141.01 block(s) 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 299A, 299B, 299C, 299D, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 499A, 499B, 499C; of tract 141.03 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 226, 233, 244, 299, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 799; of tract 141.04 block(s) 201, 202, 307, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 499.

(b) That part of Manatee County made up of tract(s) 1.02, 7.01, 16; of tract 1.01 block(s) 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429; of tract 1.04 block(s) 301, 302, 303, 304, 305, 306, 307, 308, 309, 501, 518, 519; of tract 2 block(s) 231; of tract 3.03 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134A, 134B, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 199, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 416, 417, 418; of tract 7.02 block(s) 209B, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 501A, 501B, 501C, 501D, 501E, 501F, 501G, 501H, 501I, 501J, 501K, 501L, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 601A, 601B, 602A, 602B, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615A, 615B, 615C, 615D, 615E, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625A,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

625B, 626A, 626B, 627A, 627B, 628A, 628B, 629, 630, 631, 632, 633, 634, 635, 636, 637, 699A, 699B, 699C, 699D, 699E, 699F, 699G, 699H, 699J, 699K, 699L, 699M, 699N, 699P, 699R, 699T; of tract 8.03 block(s) 301, 302, 303, 304, 305, 306, 307, 308, 309, 311, 312, 313, 314, 315, 316, 317, 444; of tract 8.05 block(s) 101A, 101B, 102, 103, 104, 105, 107, 108, 109, 110A, 110B, 111, 112, 113, 114, 115, 116, 117, 118A, 118B, 119, 120; of tract 9 block(s) 501, 502, 503, 504, 505, 507, 508, 509, 510, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521; of tract 14.01 block(s) 609, 610; of tract 15.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331; of tract 15.02 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115A, 115B, 116, 117, 118, 119, 120, 121, 122, 123, 201, 202, 203, 401A, 401B, 402, 403, 404, 405, 406A, 406B, 406C, 406D, 407A, 407B, 408A, 408B, 408C, 409, 410, 411, 412, 413, 414A, 414B, 415A, 415B, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440A, 440B, 440C, 440D, 441A, 441B, 442A, 442B, 442C, 442D, 442E, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 499.

(c) That part of Pinellas County made up of tract(s) 201.01, 202.01, 202.04, 205, 206, 207, 208, 209.95, 210.95, 212, 216.95, 220; of tract 202.02 block(s) 202, 203, 204, 212, 213, 214, 217, 218, 219, 220, 224, 225, 226; of tract 202.05 block(s) 101, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 199, 201, 209, 210, 211, 212, 220, 221, 222, 223, 224, 225, 308, 309, 310, 311, 312, 313, 316, 317, 318, 320, 321, 324, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423; of tract 203.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 220, 301, 306, 310, 312, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420; of tract 204 block(s) 204, 205, 206, 207, 208, 209, 303, 304, 305, 306, 307, 308, 309, 310, 312, 313, 316, 317, 318, 319, 320, 321, 323, 324, 325, 326, 327, 328, 329, 330, 332, 333, 334, 335, 336, 338, 399A; of tract 213 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324; of tract 214 block(s) 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 235, 237; of tract 218.95 block(s) 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 401, 402, 403, 404, 405, 418, 419, 420, 501, 502, 503, 504, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 601, 602, 603, 604, 605, 606, 607,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

608, 609, 610, 611, 612, 613, 615, 616, 617, 618, 619, 620, 621, 622, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817; of tract 219.95 block(s) 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710; of tract 221 block(s) 311, 319, 320, 321, 322, 323, 324, 328, 329, 330, 429, 430, 527; of tract 222 block(s) 139, 305, 306, 307, 312, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433; of tract 234 block(s) 316, 317.

(5) District 22 is composed of:

(a) That part of Pinellas County made up of tract(s) 201.03, 201.04, 201.05, 223.01, 223.02, 224.01, 224.02, 245.03, 245.04, 250.06, 250.09, 251.06, 251.07, 251.08, 251.09, 251.10, 251.11, 251.12, 251.13, 251.14, 251.15, 251.16, 251.17, 251.18, 251.19, 252.03, 252.04, 252.05, 252.06, 252.07, 253.01, 253.04, 253.06, 254.01, 254.04, 254.05, 254.07, 254.08, 254.09, 255.01, 255.03, 257, 260.01, 260.02, 260.99, 264, 266.01, 267.03, 268.09, 276.01, 276.02, 277.01, 277.02, 278, 279.01, 279.02, 280.01, 280.02, 281.01, 281.02, 282, 283, 284.01, 284.02, 285; of tract 222 block(s) 108, 109, 110, 119, 120, 129, 130, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236; of tract 225.01 block(s) 122, 124, 125, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 217, 218, 224, 225, 226, 227, 228, 229, 230, 231, 232, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 399; of tract 225.02 block(s) 119, 212, 411, 412, 413; of tract 225.03 block(s) 302; of tract 226.01 block(s) 124, 325, 326, 327, 328, 329, 330, 331; of tract 250.01 block(s) 239, 269, 270, 302, 304, 332, 334, 335, 337, 338, 339, 362, 399A, 399B, 399C; of tract 250.03 block(s) 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 199A; of tract 250.07 block(s) 101, 102, 116, 117, 118, 119, 120, 121, 122, 199D, 201, 202, 203, 211, 212; of tract 250.08 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 301, 302, 303, 304, 305, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 499; of tract 253.03 block(s) 101, 102, 103, 104, 105, 106, 107, 108A, 108B, 109, 110, 113, 114, 115, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 135, 136, 137A, 137B, 137C, 137D, 138A, 138B, 139A, 139B, 140, 141A, 141B, 141C, 142, 148, 149, 150, 151, 199A, 199B, 199C, 199D, 199F; of tract 253.05 block(s) 101B, 102, 103, 104, 105, 106, 107, 108, 109, 110A, 110B, 110C, 110D, 110E, 111, 112, 113,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

114, 115, 116, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135A, 135B, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 199; of tract 254.06 block(s) 101A, 101B, 101C, 101D, 101E, 102, 103A, 103B, 104, 105A, 105B, 106A, 106B, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130A, 130B, 131A, 131B, 131C, 132, 133, 134, 135, 136A, 136B, 136C, 137, 138, 139, 140, 141, 142, 143A, 143B, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158A, 158B, 158C, 158D, 158E, 159, 160, 161, 162, 163, 164, 166A, 166D, 167, 168A, 168B, 169, 170, 171, 173B, 173C, 173D, 174A, 174B, 176, 177, 178, 180, 181, 182, 183, 184, 185, 186, 187, 199; of tract 255.04 block(s) 103A, 103B, 103C, 103D, 104, 105, 106, 107, 108, 109, 110A, 110B, 111, 112, 113, 114, 115, 116, 117, 118, 119A, 119B, 120, 121, 128A, 128B, 128C, 129A, 129B, 129C, 129D, 130A, 130B, 130C, 201A, 201B, 202A, 202B, 203A, 203B, 204, 205A, 205B, 206, 207, 208, 209, 210, 211, 212A, 212B, 213, 214, 215, 216, 217, 218, 219, 220A, 220B, 221, 222, 301A, 301B, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 326, 328, 329, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 499; of tract 256.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 129, 130, 131, 132, 199, 203, 204, 213, 214, 215, 216, 217, 219, 220, 221, 222, 223, 224, 225, 226, 227, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 429, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 444, 445, 448, 449, 450, 451; of tract 256.02 block(s) 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213A, 213B, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 301, 302, 305, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409; of tract 258 block(s) 101, 102, 103A, 103B, 104, 105A, 105B, 105C, 106A, 106B, 107A, 107B, 108, 109, 110, 111, 112, 114, 115, 116A, 116B, 117A, 117B, 118A, 118B, 118C, 119A, 119B, 120A, 120B, 120C, 121A, 121B, 121C, 199, 302, 304, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338; of tract 259.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 225, 226, 227, 228; of tract 259.02 block(s) 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 315, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 423, 424, 425, 426, 427, 428, 429, 430, 499, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546; of tract 261 block(s) 101, 102, 103,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 299, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 599A, 599B, 599C; of tract 263 block(s) 101A, 101B, 101C, 101D, 101E, 102, 103, 104, 110, 111, 112A, 112B, 112C, 112D, 112E, 112F, 112G, 113A, 113B, 113C, 113D, 113E, 113F, 113G, 114, 115, 123A, 123B, 124, 125, 126, 127A, 127B, 128A, 128B, 129, 130A, 130B, 131, 201, 202, 203, 204, 205, 206, 207, 208A, 208B, 208C, 209, 301, 302, 303, 304, 305, 306, 307A, 307B, 308, 309, 310A, 310B, 310C, 311A, 311B, 311C, 311D, 311E, 312A, 312B, 312C, 312D, 312E, 323, 324, 325, 326, 327, 501, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515; of tract 265 block(s) 101A, 101B, 102, 128, 133, 135, 201A, 201C, 202, 203, 204, 205, 206, 207, 208, 209A, 209B, 209C, 210A, 210B, 210C, 210D, 211, 212, 213A, 213B, 214A, 214B, 214C, 215, 216, 217, 218, 219, 220, 221, 222, 223A, 223B, 224A, 224B, 225A, 225B, 225C, 226, 227, 228, 229A, 229B, 230A, 230B, 230C, 231A, 231B, 231C, 231D, 232A, 232B, 232C, 233, 234, 235A, 235B, 236, 237A, 237B, 237C, 238, 239A, 239B, 240A, 240B, 240C, 241, 242, 243, 299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 499, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 601A, 601B, 601C, 602A, 602B, 603, 604, 605, 606A, 606B, 607, 608, 609, 610, 611, 612, 613A, 613B, 614A, 614B, 615, 616A, 616B, 617A, 617B, 617C, 617D, 618, 619A, 619B, 620, 621A, 621B, 622A, 622B, 699A, 699B, 699C, 699D; of tract 266.02 block(s) 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425.

(6) District 23 is composed of:

(a) That part of Hillsborough County made up of tract(s) 101.02, 101.03, 101.04, 102.04, 104.01, 108.03, 108.04, 109, 121.04, 121.05, 121.06, 122.03, 122.04, 123.01, 123.02, 124, 125, 126, 127, 128, 129, 130, 131, 132.01, 132.02, 133.01, 133.02, 133.04, 133.05, 134.01, 134.02, 134.03, 139.02, 139.03, 139.04, 139.05, 140.01, 140.02, 140.03, 142.98; of tract 102.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 301, 302, 303, 304, 305, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324A, 324B, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 353, 357, 399A, 399B, 399C, 399D, 399F, 399G, 399H, 399J, 399K, 399L, 399M, 399N, 399P, 401, 402, 403, 404, 405, 410B, 410C, 414C, 415A, 415B, 415C, 416, 417, 418, 419, 420, 421, 422A, 422B, 422C, 423, 424B, 424C, 425C, 426B, 427B, 428, 429, 430, 431, 432, 433, 499B, 499C, 499D, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 599; of tract 102.03 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 199A, 199B, 901, 902, 907; of tract 103.01 block(s) 201, 202, 203, 204, 205, 206,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

208, 209, 210; of tract 103.02 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 201, 202, 203, 204, 205, 206, 207, 208, 209, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 399, 401, 403, 404, 408, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512; of tract 106 block(s) 101, 102, 116, 117, 118, 119, 120, 121, 122, 123, 125, 126, 127, 128, 201, 215, 216, 217, 218, 219, 220, 221, 222, 224, 225, 226, 227, 229, 230, 301, 302, 315, 317, 318, 319, 415, 416, 417, 418, 419, 420, 421, 515, 516, 517, 518, 519, 520, 521, 522, 523; of tract 107 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 131, 133, 134, 136, 137, 138, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 235, 236, 237, 238, 239, 240, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 430, 431, 432, 433, 434, 435, 436, 437, 501, 502, 503, 504, 530, 531, 532, 533, 534, 535, 536, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750; of tract 110.04 block(s) 113A, 113B, 114, 115, 116, 117, 118B, 119, 199A, 199B, 224B, 225, 513B, 514, 515; of tract 120.02 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 199A, 199C; of tract 121.03 block(s) 101, 102, 103, 199B, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 301, 302, 303, 304, 399B, 401, 402, 403, 404, 405, 406, 407, 408, 409, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 699B; of tract 122.01 block(s) 101, 102, 199, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 301, 302, 303, 304, 305, 306, 307, 308, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 999C; of tract 135.02 block(s) 101, 102, 117; of tract 136 block(s) 912, 954, 956, 999A; of tract 137 block(s) 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 515, 517, 519, 521, 599, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 699, 704, 901, 902, 903, 904, 905, 906, 911, 912, 913, 914, 915; of tract 138 block(s) 101, 102, 103, 105, 106, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 199C, 201, 202, 203, 204, 205, 206, 219, 220, 221, 223, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 299, 301, 302, 303A, 303B, 304A, 304B, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 339, 341, 342, 343, 344, 345, 346, 399, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 426, 427, 431, 432, 433, 499, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512A, 512B, 513, 514, 515, 516, 517A, 517B, 518, 519, 520, 521, 522, 523, 599A, 599B, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

611, 612, 613, 614, 615, 616, 699, 706, 707, 708, 709, 714, 715, 716, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 899, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 999; of tract 141.01 block(s) 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 199, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 399; of tract 141.03 block(s) 220, 221, 222, 223, 224, 225, 227, 228, 229, 230, 231, 232, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 499, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 599A, 599B, 599C, 599D, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 699A, 699B, 699C, 699D, 699E, 699F, 701, 725, 726, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 899, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 999A, 999B; of tract 141.04 block(s) 301, 302, 303, 304, 305, 306, 308, 309, 399, 420.

(b) That part of Polk County made up of tract(s) 118.01, 118.02, 119.97, 119.98, 149.98, 161.98; of tract 106.01 block(s) 235, 236, 239, 240, 241, 242, 243, 244, 245, 246, 247; of tract 106.02 block(s) 141B; of tract 111 block(s) 102, 103, 104, 105, 106, 107, 108, 109, 110A, 110B, 110C, 111, 112, 120A, 120B, 121A, 121B, 122, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212A, 212B, 213; of tract 112.01 block(s) 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 218, 219, 220, 222, 224, 225, 226, 227, 228, 229, 230, 231; of tract 112.02 block(s) 101, 102, 103, 104, 105, 106, 201, 202, 203, 204, 205, 220, 301, 302, 303, 305, 306, 307, 329; of tract 113 block(s) 103, 104, 111, 112, 113, 114, 116, 121, 122, 123, 124, 125, 126, 127, 128, 132, 208, 209; of tract 114 block(s) 107, 108, 109, 110, 111, 112, 113, 123; of tract 120.01 block(s) 114A, 114B, 116, 117, 118, 119, 121, 122A, 122B, 122C, 123, 199, 208, 213, 214, 215, 216, 218, 219, 220, 221, 222; of tract 120.98 block(s) 106B, 107B, 120B, 127, 128, 129, 150, 151, 152, 153, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 182, 183, 186, 187, 191, 201, 202, 203, 204, 205,

TAB 14: BILL LANGUAGE FOR PLAN 386, FLORIDA SENATE

206, 207, 208, 209, 211, 212, 213, 214, 215, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 301, 302, 303, 304, 305, 306, 307A, 307B, 308, 311A, 311B, 311C, 311D, 311E, 311F, 312, 404, 405, 436, 437A, 437B, 438, 439A, 439B, 439C, 439D; of tract 148.98 block(s) 114, 115, 116, 117, 118, 120, 121, 125, 194, 199B, 202, 204B, 301C, 301D, 302A, 302C, 302D, 303, 304, 306, 308, 309, 310, 312B, 336B, 337, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 352B, 353, 354B, 355, 356, 399C, 401, 402B, 411, 413B, 414B, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 501A, 502A, 503, 504, 505, 506A, 507A, 508A, 509, 510.

TAB 14: DISTRICT STATISTICS, PLAN 386 — SENATE [TABLE 1 OF 5, PART 1 OF 2]

Dist	Dev.	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
		Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
0	0.0	0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0
1	-0.4	322,018	77.1	19.2	2.2	1.5	236,201	79.3	17.1	2.1	1.5	164,926	84.8	14.2	1.0	67.9	28.4	3.7
2	-0.3	322,460	48.0	48.9	1.3	1.8	233,725	52.3	44.7	1.3	1.8	152,093	52.4	46.9	0.8	75.6	19.8	4.6
3	-0.4	322,259	68.5	28.2	1.3	2.0	241,458	71.0	25.7	1.3	2.0	170,052	76.2	23.1	0.8	75.4	18.8	5.9
4	-0.4	322,039	82.7	14.6	0.8	1.8	243,389	84.2	13.2	0.8	1.8	185,481	89.0	10.6	0.3	70.6	24.2	5.2
5	-0.4	322,055	82.4	12.6	1.9	3.1	248,955	84.1	10.9	1.9	3.1	166,812	90.9	8.1	1.0	64.3	28.5	7.3
6	0.3	324,338	89.3	5.8	2.2	2.8	237,340	90.2	5.2	2.1	2.6	160,916	94.0	5.0	0.9	47.5	44.9	7.6
7	-0.3	322,358	87.0	7.5	3.0	2.5	243,788	88.8	6.3	2.7	2.3	180,787	94.2	4.4	1.4	45.9	47.0	7.0
8	0.1	323,777	86.7	7.0	2.1	4.2	252,122	88.2	6.2	1.9	3.7	179,829	93.7	5.2	1.1	44.7	47.2	8.1
9	-0.4	322,309	83.6	3.9	2.4	10.2	250,190	84.9	3.6	2.2	9.3	141,537	96.6	2.6	0.8	37.8	53.7	8.6
10	0.4	324,581	90.8	4.9	0.8	3.5	255,172	92.3	4.1	0.7	2.9	184,884	96.7	2.8	0.5	49.0	43.2	7.7
11	0.0	323,591	87.1	9.3	0.7	2.9	256,829	89.3	7.6	0.7	2.4	183,410	95.3	4.7	0.0	44.7	47.9	7.4
12	0.4	324,729	85.5	4.0	2.3	8.2	243,759	86.9	3.5	2.1	7.5	156,016	95.9	3.2	1.0	36.2	55.0	8.8
13	0.0	323,475	83.3	3.0	1.8	12.0	253,078	84.4	2.6	1.6	11.4	172,183	97.0	2.8	0.2	46.2	42.8	11.1
14	-0.4	322,189	59.6	30.6	2.0	7.9	240,018	64.5	26.3	1.9	7.4	111,031	75.4	23.5	1.1	52.4	40.4	7.2
15	0.2	324,229	80.0	14.8	1.3	3.8	248,588	83.0	12.3	1.3	3.5	176,989	89.6	10.1	0.2	45.0	46.7	8.3
16	0.3	324,441	86.8	9.3	0.9	3.0	261,304	88.7	7.8	0.9	2.6	183,191	92.9	6.5	0.6	50.3	41.7	7.9
17	-0.3	322,396	78.9	14.8	0.9	5.4	246,716	82.7	12.1	0.8	4.4	138,451	88.8	10.2	0.9	56.7	38.9	4.3
18	-0.3	322,516	87.1	5.5	1.6	5.7	249,045	88.9	4.6	1.5	5.0	181,617	96.5	3.2	0.3	43.8	48.7	7.6
19	-0.3	322,567	93.4	3.4	1.0	2.2	266,953	94.6	2.6	0.8	2.0	205,181	97.8	2.0	0.2	38.8	49.1	12.1
20	0.3	324,336	90.6	2.9	2.4	4.1	265,175	91.8	2.4	2.1	3.8	171,892	97.8	2.2	0.0	46.0	43.5	10.5

TAB 14: DISTRICT STATISTICS, PLAN 386 — SENATE [TABLE 1 OF 5, PART 2 OF 2]

Dist	Dev.	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
		Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
21	0.0	323,432	44.0	41.2	1.1	13.7	237,582	48.9	36.2	1.1	13.9	121,689	59.3	40.5	0.1	69.7	22.6	7.7
22	1.2	327,422	94.5	2.4	1.0	2.1	278,104	95.3	1.9	0.9	1.9	194,931	98.6	1.4	0.0	37.6	51.2	11.2
23	-0.4	322,285	83.6	7.1	1.2	8.1	239,346	85.6	6.1	1.2	7.2	148,463	94.0	5.9	0.1	47.1	43.2	9.7
24	0.4	324,674	95.9	1.5	0.7	1.9	278,269	96.5	1.2	0.6	1.6	230,119	98.7	0.9	0.4	33.6	58.2	8.2
25	0.3	324,520	92.7	1.5	0.6	5.1	266,871	94.0	1.2	0.6	4.3	208,646	99.0	0.6	0.4	29.7	61.1	9.1
26	-0.1	322,988	88.3	6.1	0.8	4.8	260,747	90.7	4.8	0.7	3.8	190,959	96.0	3.5	0.5	41.4	50.9	7.7
27	-0.3	322,577	92.6	2.8	0.9	3.7	265,611	93.8	2.2	0.8	3.3	226,339	98.1	1.7	0.2	32.8	55.9	11.4
28	-0.1	323,191	89.7	2.4	1.3	6.6	269,419	91.3	1.9	1.1	5.7	210,713	98.6	1.4	0.0	51.9	36.0	12.1
29	0.3	324,508	69.9	14.8	1.4	13.9	251,489	74.0	12.3	1.3	12.3	152,493	88.4	10.3	1.3	57.7	33.2	9.1
30	0.3	324,262	34.6	56.3	1.0	8.1	234,069	41.0	50.0	1.0	7.9	118,366	49.4	50.0	0.6	69.7	22.5	7.8
31	0.4	324,815	88.4	3.5	1.3	6.8	279,104	90.0	2.7	1.2	6.1	185,998	97.3	1.9	0.8	37.5	51.1	11.4
32	0.0	323,601	67.0	10.8	2.1	20.1	244,904	69.0	9.4	1.9	19.6	169,004	88.7	9.1	2.3	55.6	35.8	8.6
33	0.4	324,704	86.8	4.4	1.8	7.1	262,417	88.6	3.6	1.5	6.3	190,219	95.8	2.9	1.3	56.4	32.4	11.2
34	0.0	323,536	31.7	1.8	1.4	65.1	260,538	30.8	1.6	1.3	66.3	116,858	97.4	1.5	1.1	37.0	53.1	10.0
35	-0.2	322,870	77.9	12.6	1.1	8.4	251,997	81.6	10.1	1.0	7.4	160,491	92.5	7.1	0.5	53.7	37.4	8.9
36	0.0	323,369	14.0	54.7	1.0	30.3	227,610	16.2	49.7	1.0	33.1	100,232	38.2	60.7	1.1	74.8	19.2	6.0
37	-0.4	322,180	31.8	2.9	2.0	63.3	240,993	31.0	2.8	2.0	64.3	117,418	95.8	2.5	1.7	35.1	53.8	11.1
38	-0.1	323,071	57.0	9.9	1.9	31.2	269,667	60.2	8.2	1.7	29.9	132,096	92.4	6.4	1.2	60.9	28.0	11.1
39	0.0	323,441	21.8	2.4	1.1	74.6	246,385	20.5	2.4	1.0	76.1	95,550	96.4	2.1	1.5	31.7	58.5	9.8
40	0.1	323,817	38.3	37.0	1.3	23.4	232,762	42.9	32.9	1.3	22.9	115,410	61.5	37.4	1.1	64.2	27.1	8.7
State		12,937,926	73.2	13.1	1.4	12.2	10,071,689	75.9	11.0	1.3	11.7	6,553,272	90.0	9.3	0.7	49.5	41.9	8.6

TAB 14: PLAN COMPARISON REPORT OF TAMPA BAY AREA
INTERSECTION BY DISTRICT OF 1990 TOTAL POPULATION [TABLE 2 OF 5]

Plan330	Plan386										Plan330			
	10	13	17	19	20	21	22	23	26		23	26		
10	324,581	0	0	0	0	0	0	0	0		0	0	0	324,581
13	0	287,731	0	0	0	36,838	0	0	0		0	0	0	324,569
17	0	0	284,146	0	0	0	0	38,657	0		38,657	0	0	322,803
19	0	12,606	0	310,492	0	0	0	0	0		0	0	0	323,098
20	0	0	0	0	324,336	0	0	0	0		0	0	0	324,336
21	0	0	38,250	12,053	0	242,668	3,225	27,160	0		27,160	0	0	323,356
22	0	0	0	22	0	0	324,197	0	0		0	0	0	324,219
23	0	23,138	0	0	0	43,926	0	256,468	0		256,468	0	0	323,532
26	0	0	0	0	0	0	0	0	322,988		0	322,988	0	322,988
Plan386	324,581	323,475	322,396	322,567	324,336	323,432	327,422	322,285	322,988		322,285	322,988	2,913,482	
Changed	0	35,744	38,250	12,075	0	80,764	3,225	65,817	0		65,817	0	235,875	

[Note: "PLAN330-SEN" and "PLAN386-SEN" in the original shortened to "Plan330" and Plan386," respectively.]

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 1 OF 8]

[District/] County	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----							
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.	
DISTRICT 0	0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0.0	0.0	0.0	
DISTRICT 1	322,018	77.1	19.2	2.2	1.5	236,201	79.3	17.1	2.1	1.5	164,926	84.8	14.2	1.0	67.9	28.4	3.7	
Bay	23,429	59.4	37.2	2.4	1.0	16,617	62.9	34.1	2.1	0.9	10,069	68.4	31.2	0.4	73.3	22.2	4.5	
Escambia	163,869	70.3	25.6	2.5	1.6	120,573	73.4	22.7	2.4	1.5	73,795	78.0	20.9	1.1	66.2	30.5	3.3	
Holmes	15,778	92.7	4.9	1.4	1.1	11,857	92.3	5.4	1.3	1.0	8,098	97.9	1.9	0.2	94.6	4.8	0.5	
Okaloosa	33,479	84.6	11.2	1.5	2.7	24,769	85.1	10.6	1.4	2.9	19,612	91.5	7.0	1.5	51.5	41.2	7.3	
Santa Rosa	45,823	91.8	4.7	2.1	1.4	32,784	92.7	4.0	2.1	1.2	29,758	95.4	3.5	1.0	61.4	34.1	4.5	
Walton	22,721	88.9	8.2	2.0	0.8	16,952	90.2	7.2	1.9	0.7	13,642	90.5	9.0	0.5	81.2	16.5	2.3	
Washington	16,919	82.4	14.5	2.1	1.1	12,649	84.5	12.6	2.0	0.9	9,952	88.8	10.8	0.4	86.5	11.7	1.7	
DISTRICT 2	322,460	48.0	48.9	1.3	1.8	233,725	52.3	44.7	1.3	1.8	152,093	52.4	46.9	0.8	75.6	19.8	4.6	
Alachua	21,027	37.0	61.3	0.5	1.2	14,549	41.9	56.3	0.5	1.2	7,664	51.8	47.9	0.3	77.8	15.9	6.3	
Clay	2,971	53.1	44.9	0.5	1.5	2,122	58.9	39.3	0.6	1.2	2,277	81.1	18.9	0.0	39.6	45.6	14.8	
Duval	277,275	48.9	47.8	1.4	1.9	202,333	53.0	43.8	1.4	1.8	132,891	51.5	47.7	0.8	76.1	19.5	4.3	
Putnam	8,606	43.8	54.6	0.3	1.3	5,721	49.9	48.4	0.3	1.4	3,604	56.5	42.5	1.0	79.0	16.3	4.6	
St. Johns	12,581	48.5	49.2	0.4	1.8	9,000	51.9	45.9	0.4	1.8	5,657	59.5	39.9	0.6	72.4	23.0	4.6	
DISTRICT 3	322,259	68.5	28.2	1.3	2.0	241,458	71.0	25.7	1.3	2.0	170,052	76.2	23.1	0.8	75.4	18.8	5.9	
Bay	31,257	91.8	3.9	2.5	1.8	22,741	92.6	3.5	2.4	1.6	16,307	96.6	3.0	0.4	59.7	33.9	6.4	
Calhoun	11,011	82.6	15.0	1.3	1.1	8,140	83.2	14.5	1.2	1.0	6,173	88.3	11.3	0.4	95.0	4.6	0.4	
Franklin	8,967	86.2	12.3	0.8	0.7	6,814	88.1	10.4	0.8	0.6	6,015	90.1	9.7	0.2	91.2	7.8	1.0	
Gadsden	41,105	39.8	57.5	0.4	2.3	28,941	45.2	52.3	0.4	2.1	18,259	47.6	52.0	0.4	91.9	6.7	1.4	
Gulf	11,504	79.9	18.7	0.7	0.7	8,681	81.7	16.9	0.7	0.7	8,069	84.8	14.9	0.2	88.4	10.6	1.0	
Jackson	41,375	71.0	25.9	0.7	2.4	31,096	72.5	24.1	0.7	2.7	18,947	79.3	20.7	0.0	87.2	11.5	1.3	
Jefferson	3,917	56.9	41.7	0.3	1.1	2,919	60.1	38.5	0.2	1.2	2,197	65.0	35.0	0.0	86.8	11.4	1.8	

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 2 OF 8]

[District/] County	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
Leon	141,162	68.0	28.1	1.7	2.2	108,916	70.3	25.7	1.7	2.3	76,042	74.2	24.3	1.4	64.0	25.6	10.4
Liberty	5,569	80.2	17.3	0.6	1.9	4,221	77.8	19.3	0.6	2.3	3,223	89.3	10.7	0.0	97.0	2.9	0.2
Madison	12,190	45.7	52.5	0.4	1.4	8,807	49.7	48.3	0.4	1.7	5,628	59.4	40.5	0.1	90.7	8.1	1.2
Wakulla	14,202	85.6	12.9	0.9	0.6	10,182	87.1	11.5	0.8	0.6	6,192	89.4	10.4	0.2	85.4	12.3	2.3
DISTRICT 4	322,039	82.7	14.6	0.8	1.8	243,389	84.2	13.2	0.8	1.8	185,481	89.0	10.6	0.3	70.6	24.2	5.2
Alachua	14,474	77.3	20.3	0.6	1.8	10,292	79.6	18.2	0.6	1.6	6,762	86.2	13.4	0.4	69.0	23.8	7.1
Baker	18,486	83.5	14.8	0.6	1.1	12,855	83.2	14.8	0.7	1.3	10,051	89.3	10.7	0.0	92.8	6.6	0.6
Bradford	11,864	67.1	29.4	1.0	2.6	9,240	65.7	30.3	1.0	3.0	4,496	79.6	20.1	0.2	87.9	9.8	2.3
Citrus	43,782	95.4	2.3	0.8	1.5	35,340	96.0	1.9	0.7	1.4	25,921	98.6	1.3	0.1	47.2	42.7	10.0
Columbia	14,346	62.0	36.1	0.7	1.2	10,084	64.4	33.7	0.8	1.2	6,033	68.0	32.0	0.0	81.0	16.2	2.8
Dixie	10,585	90.0	8.7	0.4	0.9	7,997	90.1	8.6	0.5	0.9	7,692	94.0	6.0	0.0	91.1	7.3	1.6
Gilchrist	9,667	89.5	8.4	0.5	1.6	7,245	89.3	8.5	0.5	1.7	5,823	97.3	2.6	0.2	85.4	12.5	2.1
Hamilton	10,930	58.2	38.6	0.5	2.7	7,774	61.2	35.7	0.5	2.6	6,166	67.7	32.1	0.3	94.9	4.5	0.6
Jefferson	7,379	54.2	44.1	0.5	1.2	5,109	58.6	39.7	0.5	1.2	3,699	64.4	35.6	0.0	86.6	11.0	2.4
Lafayette	5,578	81.6	13.8	0.5	4.1	4,198	80.4	14.4	0.5	4.7	3,382	94.3	5.7	0.0	96.0	3.6	0.4
Leon	51,331	82.6	12.8	1.5	3.1	40,452	83.4	12.0	1.4	3.3	34,650	86.4	12.3	1.3	66.1	25.6	8.3
Levy	8,727	96.2	1.8	0.8	1.2	6,972	96.2	2.0	0.7	1.1	5,510	99.3	0.5	0.3	71.4	23.8	4.8
Madison	4,379	87.6	10.6	0.4	1.4	3,202	88.3	10.0	0.4	1.3	2,366	87.7	12.0	0.3	86.9	11.2	2.0
Marion	28,197	87.8	9.5	0.6	2.2	23,009	90.5	7.1	0.5	1.9	18,106	94.7	5.3	0.0	44.1	46.9	9.0
Nassau	43,941	88.1	10.3	0.6	1.1	32,037	89.0	9.4	0.6	1.0	24,035	92.0	7.9	0.0	68.6	28.0	3.5
Suwannee	16,478	78.5	19.5	0.7	1.4	11,977	81.0	17.0	0.7	1.4	9,321	84.4	15.5	0.1	82.6	15.3	2.1
Taylor	17,111	80.0	17.9	1.1	1.0	12,288	82.5	15.6	1.0	0.9	9,020	87.0	12.3	0.7	90.7	8.6	0.6
Union	4,784	71.8	24.3	0.8	3.1	3,318	72.1	23.2	1.0	3.7	2,448	80.8	18.8	0.4	94.9	4.4	0.7

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 3 OF 8]

[District/] County	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
DISTRICT 5	322,055	82.4	12.6	1.9	3.1	248,955	84.1	10.9	1.9	3.1	166,812	90.9	8.1	1.0	64.3	28.5	7.3
Alachua	146,095	79.9	12.5	3.3	4.3	117,240	81.7	10.6	3.3	4.3	77,612	89.8	8.7	1.5	57.8	31.5	10.6
Bradford	10,651	88.7	9.6	0.6	1.1	7,869	90.6	7.8	0.5	1.0	5,810	93.5	6.4	0.1	82.1	15.0	3.0
Clay	20,777	95.0	2.6	0.8	1.6	15,418	95.5	2.4	0.7	1.4	10,359	97.8	2.2	0.0	45.5	46.8	7.7
Columbia	28,267	88.7	8.7	1.0	1.6	20,628	90.1	7.4	1.0	1.5	15,087	93.5	6.5	0.0	72.2	24.6	3.2
Levy	17,196	79.2	17.7	0.8	2.2	12,672	81.7	15.5	0.8	2.0	8,541	88.4	11.3	0.2	82.6	15.0	2.4
Marion	26,835	74.5	22.5	0.9	2.1	20,317	76.4	20.7	0.9	2.1	10,378	87.2	12.8	0.0	59.0	35.8	5.3
Putnam	56,464	83.9	12.7	0.6	2.8	42,807	86.6	10.6	0.5	2.3	30,758	90.8	7.9	1.3	71.3	24.0	4.7
Suwannee	10,302	90.8	6.8	0.6	1.9	7,705	91.4	6.2	0.6	1.8	5,967	94.0	5.9	0.1	79.0	18.0	3.0
Union	5,468	74.3	21.2	1.1	3.4	4,299	70.5	24.4	1.3	3.9	2,300	92.0	7.7	0.3	93.3	5.8	1.0
DISTRICT 6	324,338	89.3	5.8	2.2	2.8	237,340	90.2	5.2	2.1	2.6	160,916	94.0	5.0	0.9	47.5	44.9	7.6
Clay	82,238	90.6	4.3	2.2	2.9	57,912	91.4	3.8	2.1	2.7	41,664	96.9	3.1	0.0	34.4	54.8	10.9
Duval	235,467	88.6	6.5	2.2	2.7	174,605	89.6	5.7	2.1	2.6	114,389	92.8	5.9	1.3	52.7	40.9	6.5
St. Johns	6,633	97.0	0.7	0.9	1.4	4,823	97.4	0.6	0.8	1.3	4,863	98.6	0.8	0.6	40.0	54.4	5.6
DISTRICT 7	322,358	87.0	7.5	3.0	2.5	243,788	88.8	6.3	2.7	2.3	180,787	94.2	4.4	1.4	45.9	47.0	7.0
Bay	72,308	90.5	5.1	2.5	2.0	55,387	91.9	4.2	2.2	1.8	36,879	96.9	2.6	0.5	58.4	34.5	7.2
Escambia	98,929	83.8	10.4	3.3	2.5	75,845	86.2	8.5	2.9	2.3	56,157	92.4	5.8	1.8	48.1	45.2	6.7
Okaloosa	110,297	85.2	8.2	3.4	3.2	81,692	86.9	7.0	3.2	2.8	57,932	93.2	4.8	1.9	35.7	56.4	7.9
Santa Rosa	35,785	93.5	3.0	1.9	1.7	26,650	93.9	2.9	1.8	1.5	25,682	96.9	2.3	0.8	46.5	47.9	5.6
Walton	5,039	97.4	0.1	1.4	1.0	4,214	97.5	0.1	1.3	1.1	4,137	92.6	7.1	0.3	45.2	47.6	7.1
DISTRICT 8	323,777	86.7	7.0	2.1	4.2	252,122	88.2	6.2	1.9	3.7	179,829	93.7	5.2	1.1	44.7	47.2	8.1
Duval	160,229	84.1	9.2	3.2	3.5	121,687	85.7	8.1	2.9	3.4	80,681	91.0	7.0	2.0	44.7	46.5	8.7
Flagler	28,701	86.6	7.9	1.1	4.4	23,222	88.4	6.7	1.1	3.9	21,211	91.9	8.1	0.0	44.5	45.9	9.7

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 4 OF 8]

[District/]	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
County	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
Marion	36,779	89.4	6.1	0.9	3.6	29,123	91.1	5.0	0.8	3.1	19,812	94.9	5.1	0.0	47.0	45.5	7.6
St. Johns	64,615	95.1	1.6	0.9	2.4	51,373	95.6	1.4	0.8	2.3	41,934	98.3	1.0	0.7	43.3	50.2	6.6
Volusia	33,453	79.9	7.3	1.4	11.4	26,717	82.1	7.7	1.4	8.9	16,191	96.2	3.2	0.5	45.5	47.1	7.4
DISTRICT 9	322,309	83.6	3.9	2.4	10.2	250,190	84.9	3.6	2.2	9.3	141,537	96.6	2.6	0.8	37.8	53.7	8.6
Orange	181,827	81.6	3.6	2.6	12.1	144,327	83.1	3.5	2.4	10.9	76,389	96.1	2.4	1.5	38.4	53.0	8.6
Seminole	140,482	86.1	4.2	2.1	7.7	105,863	87.3	3.7	1.9	7.1	65,148	97.2	2.8	0.0	37.0	54.5	8.6
DISTRICT 10	324,581	90.8	4.9	0.8	3.5	255,172	92.3	4.1	0.7	2.9	184,884	96.7	2.8	0.5	49.0	43.2	7.7
Hernando	101,115	92.7	3.8	0.6	2.9	82,467	94.0	3.0	0.6	2.5	73,464	97.7	2.3	0.0	44.8	46.5	8.7
Pasco	105,919	89.8	4.3	0.8	5.2	81,867	91.7	3.4	0.7	4.1	56,077	96.3	2.5	1.2	48.8	42.2	9.0
Polk	91,059	92.5	4.1	0.8	2.5	70,013	93.4	3.7	0.8	2.2	42,495	97.2	2.2	0.6	51.3	43.2	5.5
Sumter	26,488	81.9	14.8	0.8	2.6	20,825	84.8	12.5	0.7	2.1	12,848	91.2	8.8	0.0	66.9	29.3	3.7
DISTRICT 11	323,591	87.1	9.3	0.7	2.9	256,829	89.3	7.6	0.7	2.4	183,410	95.3	4.7	0.0	44.7	47.9	7.4
Citrus	49,733	94.9	2.3	0.7	2.1	41,709	95.7	1.8	0.6	1.9	31,443	98.6	1.4	0.0	52.7	38.7	8.6
Lake	152,104	87.5	9.1	0.6	2.8	121,841	89.8	7.3	0.6	2.3	85,145	95.8	4.2	0.0	39.7	53.7	6.6
Marion	103,022	82.7	13.2	0.8	3.3	79,292	85.3	11.0	0.8	2.9	55,365	92.6	7.4	0.0	48.9	43.1	8.0
Seminole	13,643	92.3	2.5	1.9	3.3	10,240	92.8	2.3	1.7	3.2	8,383	97.9	2.1	0.0	32.6	59.4	8.0
Sumter	5,089	75.5	22.6	0.4	1.6	3,747	78.4	19.8	0.4	1.4	3,074	86.1	13.9	0.0	62.8	33.5	3.7
DISTRICT 12	324,729	85.5	4.0	2.3	8.2	243,759	86.9	3.5	2.1	7.5	156,016	95.9	3.2	1.0	36.2	55.0	8.8
Orange	198,259	84.0	4.3	2.5	9.2	149,342	85.6	3.7	2.3	8.3	88,979	95.0	3.5	1.5	37.1	53.9	9.0
Osceola	5,032	89.3	1.1	2.8	6.8	3,912	91.1	0.9	2.4	5.6	2,907	98.2	0.7	1.0	44.4	44.8	10.8
Seminole	108,620	88.1	3.8	2.0	6.1	80,837	89.1	3.3	1.8	5.8	57,198	97.2	2.8	0.0	33.4	58.3	8.3
Volusia	12,818	84.7	3.6	1.0	10.7	9,668	86.3	3.1	1.0	9.6	6,932	94.8	3.1	2.0	44.5	46.8	8.7
DISTRICT 13	323,475	83.3	3.0	1.8	12.0	253,078	84.4	2.6	1.6	11.4	172,183	97.0	2.8	0.2	46.2	42.8	11.1

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 5 OF 8]

[District/] County	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
Hillsborough	255,918	79.9	3.6	2.0	14.5	196,695	80.9	3.2	1.9	14.0	127,461	96.4	3.6	0.0	46.4	42.1	11.5
Pasco	67,557	96.2	0.5	0.8	2.5	56,383	96.6	0.4	0.6	2.3	44,722	99.0	0.4	0.7	45.6	44.7	9.7
DISTRICT 14	322,189	59.6	30.6	2.0	7.9	240,018	64.5	26.3	1.9	7.4	111,031	75.4	23.5	1.1	52.4	40.4	7.2
Orange	297,405	61.0	28.6	2.1	8.3	222,336	65.8	24.5	2.0	7.7	101,503	77.0	21.8	1.2	51.4	41.1	7.5
Seminole	24,784	41.9	54.5	0.9	2.6	17,682	47.2	49.3	0.8	2.7	9,528	58.3	41.7	0.0	63.0	32.3	4.7
DISTRICT 15	324,229	80.0	14.8	1.3	3.8	248,588	83.0	12.3	1.3	3.5	176,989	89.6	10.1	0.2	45.0	46.7	8.3
Brevard	179,158	84.4	10.3	1.8	3.6	139,146	86.5	8.6	1.7	3.3	102,246	92.6	7.2	0.1	43.5	47.9	8.6
Indian River	74,306	85.8	10.1	0.7	3.4	58,150	88.0	8.4	0.6	3.0	40,296	94.5	5.4	0.2	38.0	55.0	7.0
St. Lucie	70,765	62.8	31.4	0.9	5.0	51,292	67.7	26.9	0.8	4.6	34,447	75.1	24.4	0.5	57.6	33.4	9.1
DISTRICT 16	324,441	86.8	9.3	0.9	3.0	261,304	88.7	7.8	0.9	2.6	183,191	92.9	6.5	0.6	50.3	41.7	7.9
Volusia	324,441	86.8	9.3	0.9	3.0	261,304	88.7	7.8	0.9	2.6	183,191	92.9	6.5	0.6	50.3	41.7	7.9
DISTRICT 17	322,396	78.9	14.8	0.9	5.4	246,716	82.7	12.1	0.8	4.4	138,451	88.8	10.2	0.9	56.7	38.9	4.3
Highlands	43,740	81.8	11.9	1.0	5.3	35,204	85.6	9.1	0.8	4.4	23,062	92.0	6.2	1.8	50.0	44.8	5.1
Okeechobee	14,184	68.7	12.6	1.0	17.8	9,496	72.6	10.6	1.0	15.8	5,146	86.0	14.0	0.0	77.7	20.5	1.8
Polk	264,472	79.0	15.3	0.9	4.8	202,016	82.6	12.7	0.8	3.9	110,243	88.3	10.9	0.8	57.2	38.6	4.3
DISTRICT 18	322,516	87.1	5.5	1.6	5.7	249,045	88.9	4.6	1.5	5.0	181,617	96.5	3.2	0.3	43.8	48.7	7.6
Brevard	219,820	90.1	5.7	1.6	2.7	172,378	91.4	4.7	1.4	2.5	128,301	96.9	3.1	0.1	42.3	50.8	7.0
Osceola	102,696	80.8	5.3	1.8	12.2	76,667	83.1	4.3	1.7	10.9	53,316	95.6	3.6	0.8	47.4	43.6	9.1
DISTRICT 19	322,567	93.4	3.4	1.0	2.2	266,953	94.6	2.6	0.8	2.0	205,181	97.8	2.0	0.2	38.8	49.1	12.1
Pasco	107,655	96.8	0.4	0.8	2.0	92,658	97.3	0.3	0.6	1.7	71,110	99.1	0.3	0.6	45.1	45.1	9.8
Pinellas	214,912	91.7	4.9	1.1	2.3	174,295	93.2	3.8	0.9	2.1	134,071	97.2	2.8	0.0	35.4	51.2	13.3
DISTRICT 20	324,336	90.6	2.9	2.4	4.1	265,175	91.8	2.4	2.1	3.8	171,892	97.8	2.2	0.0	46.0	43.5	10.5
Hillsborough	79,871	83.6	5.7	2.7	8.0	64,421	85.2	4.8	2.4	7.7	42,527	96.3	3.7	0.0	51.7	38.7	9.6

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 6 OF 8]

[District/]	-----Total Population (1990)-----					---Voting Age Population (1990)---					-----Registered Voters (1994)-----						
County	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
Pinellas	244,465	92.8	2.0	2.3	2.9	200,754	93.9	1.7	1.9	2.5	129,365	98.3	1.7	0.0	44.1	45.1	10.9
DISTRICT 21	323,432	44.0	41.2	1.1	13.7	237,582	48.9	36.2	1.1	13.9	121,689	59.3	40.5	0.1	69.7	22.6	7.7
Hillsborough	225,831	46.3	35.3	1.2	17.2	166,929	50.6	30.5	1.2	17.7	81,246	66.3	33.7	0.0	69.2	22.5	8.3
Manatee	32,741	50.1	36.5	0.6	12.8	23,603	57.0	32.0	0.5	10.5	11,756	67.4	31.2	1.4	59.5	33.6	6.9
Pinellas	64,860	33.0	64.3	0.9	1.8	47,050	38.8	58.5	0.9	1.8	28,687	36.5	63.5	0.0	75.3	18.3	6.4
DISTRICT 22	327,422	94.5	2.4	1.0	2.1	278,104	95.3	1.9	0.9	1.9	194,931	98.6	1.4	0.0	37.6	51.2	11.2
Pinellas	327,422	94.5	2.4	1.0	2.1	278,104	95.3	1.9	0.9	1.9	194,931	98.6	1.4	0.0	37.6	51.2	11.2
DISTRICT 23	322,285	83.6	7.1	1.2	8.1	239,346	85.6	6.1	1.2	7.2	148,463	94.0	5.9	0.1	47.1	43.2	9.7
Hillsborough	272,434	84.7	5.0	1.3	9.0	203,735	86.5	4.3	1.3	7.9	124,845	95.5	4.5	0.0	45.8	43.4	10.7
Polk	49,851	77.4	18.5	0.8	3.3	35,611	80.2	15.9	0.8	3.1	23,618	86.1	13.3	0.7	53.8	42.1	4.2
DISTRICT 24	324,674	95.9	1.5	0.7	1.9	278,269	96.5	1.2	0.6	1.6	230,119	98.7	0.9	0.4	33.6	58.2	8.2
Charlotte	94,045	94.2	2.5	0.9	2.4	79,609	95.1	2.1	0.8	2.1	71,666	97.3	1.7	1.0	37.1	55.0	7.9
Lee	28,819	97.8	0.3	0.5	1.4	25,434	98.2	0.2	0.4	1.2	20,607	99.4	0.2	0.4	36.5	54.2	9.2
Sarasota	201,810	96.3	1.2	0.7	1.8	173,226	96.9	1.0	0.6	1.5	137,846	99.3	0.6	0.1	31.3	60.4	8.3
DISTRICT 25	324,520	92.7	1.5	0.6	5.1	266,871	94.0	1.2	0.6	4.3	208,646	99.0	0.6	0.4	29.7	61.1	9.1
Collier	131,685	90.0	2.3	0.5	7.2	108,409	91.5	1.8	0.5	6.3	80,107	99.1	0.8	0.1	24.8	66.9	8.3
Lee	192,835	94.6	1.0	0.7	3.6	158,462	95.7	0.8	0.6	3.0	128,539	98.9	0.6	0.6	32.8	57.5	9.7
DISTRICT 26	322,988	88.3	6.1	0.8	4.8	260,747	90.7	4.8	0.7	3.8	190,959	96.0	3.5	0.5	41.4	50.9	7.7
DeSoto	23,865	74.3	15.4	0.8	9.6	18,199	77.3	13.5	0.7	8.5	10,004	89.1	10.9	0.1	73.9	23.2	3.0
Hardee	19,499	70.8	5.2	0.6	23.4	13,811	76.1	4.6	0.6	18.7	8,559	92.6	7.4	0.1	84.3	14.2	1.5
Highlands	24,692	88.4	6.1	0.8	4.7	20,410	91.2	4.4	0.6	3.8	15,956	95.5	3.0	1.5	48.2	46.6	5.2
Manatee	178,966	94.0	2.2	0.9	2.9	147,488	95.2	1.7	0.7	2.3	111,690	97.9	1.5	0.6	36.9	54.2	8.9
Sarasota	75,966	83.8	12.3	0.8	3.1	60,839	86.8	9.8	0.6	2.8	44,750	93.4	6.4	0.2	34.9	57.3	7.8

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 7 OF 8]

[District/] County	-----Total Population (1990)-----				---Voting Age Population (1990)---				-----Registered Voters (1994)-----								
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
DISTRICT 27	322,577	92.6	2.8	0.9	3.7	265,611	93.8	2.2	0.8	3.3	226,339	98.1	1.7	0.2	32.8	55.9	11.4
Indian River	15,902	98.3	0.2	0.5	1.0	14,572	98.5	0.2	0.3	1.0	13,352	99.8	0.1	0.1	19.2	74.1	6.7
Martin	98,342	89.6	5.1	0.7	4.6	80,920	91.7	4.0	0.6	3.7	65,992	97.5	2.5	0.0	29.2	62.3	8.5
Palm Beach	128,927	93.6	1.4	1.1	3.9	105,862	94.3	1.2	0.9	3.6	86,391	99.1	0.9	0.0	34.0	53.0	13.0
St. Lucie	79,406	93.5	2.5	1.0	3.0	64,257	94.4	2.1	0.8	2.7	60,604	97.0	2.3	0.7	38.0	48.8	13.2
DISTRICT 28	323,191	89.7	2.4	1.3	6.6	269,419	91.3	1.9	1.1	5.7	210,713	98.6	1.4	0.0	51.9	36.0	12.1
Broward	20,692	92.5	3.1	1.1	3.3	19,154	94.0	2.1	0.9	3.0	14,337	98.2	1.4	0.3	67.7	22.8	9.5
Palm Beach	302,499	89.5	2.4	1.3	6.8	250,265	91.1	1.9	1.2	5.9	196,376	98.6	1.4	0.0	50.7	37.0	12.3
DISTRICT 29	324,508	69.9	14.8	1.4	13.9	251,489	74.0	12.3	1.3	12.3	152,493	88.4	10.3	1.3	57.7	33.2	9.1
Broward	241,901	77.7	11.3	1.4	9.6	196,181	80.7	9.2	1.2	8.8	122,733	90.0	8.5	1.5	57.5	32.9	9.6
Collier	20,414	30.4	13.5	0.9	55.3	13,350	35.0	13.2	0.8	51.0	3,557	88.8	10.9	0.3	50.4	42.5	7.1
Hendry	25,773	58.9	16.2	2.5	22.3	17,695	63.1	13.9	2.4	20.5	10,347	87.1	11.9	1.0	74.9	22.2	2.9
Palm Beach	36,420	47.6	38.1	1.1	13.3	24,263	49.8	35.8	1.1	13.4	15,856	76.2	23.8	0.0	49.6	40.6	9.8
DISTRICT 30	324,262	34.6	56.3	1.0	8.1	234,069	41.0	50.0	1.0	7.9	118,366	49.4	50.0	0.6	69.7	22.5	7.8
Broward	173,441	22.3	70.4	1.0	6.3	120,431	27.8	64.8	1.0	6.4	55,864	29.0	69.7	1.3	80.7	13.6	5.7
Palm Beach	150,821	48.9	40.0	1.1	10.1	113,638	55.0	34.4	1.1	9.5	62,502	67.7	32.3	0.0	59.8	30.5	9.7
DISTRICT 31	324,815	88.4	3.5	1.3	6.8	279,104	90.0	2.7	1.2	6.1	185,998	97.3	1.9	0.8	37.5	51.1	11.4
Broward	246,853	87.6	3.7	1.3	7.4	211,381	89.2	2.9	1.2	6.7	135,456	96.7	2.2	1.1	39.6	49.6	10.7
Palm Beach	77,962	90.9	2.8	1.3	5.0	67,723	92.3	2.1	1.2	4.4	50,542	99.0	1.0	0.0	31.8	55.1	13.1
DISTRICT 32	323,601	67.0	10.8	2.1	20.1	244,904	69.0	9.4	1.9	19.6	169,004	88.7	9.1	2.3	55.6	35.8	8.6
Broward	247,897	79.3	5.3	2.3	13.1	189,306	81.0	4.6	2.0	12.4	142,971	93.3	4.4	2.4	55.2	36.1	8.7
Dade	75,704	26.6	28.8	1.6	43.0	55,598	28.5	25.7	1.5	44.3	26,033	63.5	34.8	1.7	57.8	34.0	8.2
DISTRICT 33	324,704	86.8	4.4	1.8	7.1	262,417	88.6	3.6	1.5	6.3	190,219	95.8	2.9	1.3	56.4	32.4	11.2

TAB 14: DISTRICT STATISTICS BY COUNTY, PLAN 386 — SENATE [TABLE 3 OF 5, PART 8 OF 8]

[District/] County	-----Total Population (1990)-----				---Voting Age Population (1990)---				-----Registered Voters (1994)-----								
	Total	NHW	NHB	NHO	Hisp.	Total	NHW	NHB	NHO	Hisp.	Total	White	Black	Other	Dem.	Rep.	Ind.
Broward	324,704	86.8	4.4	1.8	7.1	262,417	88.6	3.6	1.5	6.3	190,219	95.8	2.9	1.3	56.4	32.4	11.2
DISTRICT 34	323,536	31.7	1.8	1.4	65.1	260,538	30.8	1.6	1.3	66.3	116,858	97.4	1.5	1.1	37.0	53.1	10.0
Dade	323,536	31.7	1.8	1.4	65.1	260,538	30.8	1.6	1.3	66.3	116,858	97.4	1.5	1.1	37.0	53.1	10.0
DISTRICT 35	322,870	77.9	12.6	1.1	8.4	251,997	81.6	10.1	1.0	7.4	160,491	92.5	7.1	0.5	53.7	37.4	8.9
Charlotte	16,930	87.7	8.8	0.6	2.9	14,078	88.0	8.6	0.6	2.8	9,849	93.7	5.6	0.7	45.1	48.4	6.6
Glades	7,591	74.2	12.1	5.7	8.0	5,735	79.2	9.5	4.6	6.7	4,724	85.9	9.0	5.0	79.3	18.2	2.5
Lee	113,459	75.2	17.2	0.9	6.8	85,647	80.1	13.5	0.8	5.6	51,474	88.9	10.3	0.9	47.4	44.7	7.9
Martin	2,558	57.2	33.1	0.2	9.6	2,242	54.4	35.6	0.1	9.9	734	73.7	26.3	0.0	47.8	42.0	10.2
Okeechobee	15,443	92.0	0.6	1.2	6.3	12,081	94.0	0.5	0.9	4.6	8,587	99.7	0.3	0.0	72.7	25.0	2.4
Palm Beach	166,889	77.9	10.8	1.0	10.3	132,214	81.2	8.6	1.0	9.2	85,123	94.3	5.7	0.0	55.2	33.9	10.9
DISTRICT 36	323,369	14.0	54.7	1.0	30.3	227,610	16.2	49.7	1.0	33.1	100,232	38.2	60.7	1.1	74.8	19.2	6.0
Dade	323,369	14.0	54.7	1.0	30.3	227,610	16.2	49.7	1.0	33.1	100,232	38.2	60.7	1.1	74.8	19.2	6.0
DISTRICT 37	322,180	31.8	2.9	2.0	63.3	240,993	31.0	2.8	2.0	64.3	117,418	95.8	2.5	1.7	35.1	53.8	11.1
Dade	322,180	31.8	2.9	2.0	63.3	240,993	31.0	2.8	2.0	64.3	117,418	95.8	2.5	1.7	35.1	53.8	11.1
DISTRICT 38	323,071	57.0	9.9	1.9	31.2	269,667	60.2	8.2	1.7	29.9	132,096	92.4	6.4	1.2	60.9	28.0	11.1
Dade	323,071	57.0	9.9	1.9	31.2	269,667	60.2	8.2	1.7	29.9	132,096	92.4	6.4	1.2	60.9	28.0	11.1
DISTRICT 39	323,441	21.8	2.4	1.1	74.6	246,385	20.5	2.4	1.0	76.1	95,550	96.4	2.1	1.5	31.7	58.5	9.8
Dade	323,441	21.8	2.4	1.1	74.6	246,385	20.5	2.4	1.0	76.1	95,550	96.4	2.1	1.5	31.7	58.5	9.8
DISTRICT 40	323,817	38.3	37.0	1.3	23.4	232,762	42.9	32.9	1.3	22.9	115,410	61.5	37.4	1.1	64.2	27.1	8.7
Dade	245,793	24.5	47.2	1.4	26.9	168,293	27.4	43.8	1.4	27.3	76,032	43.7	54.7	1.5	71.7	20.2	8.1
Monroe	78,024	81.6	5.0	1.1	12.3	64,469	83.4	4.3	1.0	11.3	39,378	95.9	3.9	0.2	49.7	40.4	9.9
STATE	12,937,926	73.2	13.1	1.4	12.2	10,071,689	75.9	11.0	1.3	11.7	6,553,272	90.0	9.3	0.7	49.5	41.9	8.6

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 1 OF 8]

District /County	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other Total
	TOTAL	Dem%	Rep%	Ind%	Wht%	Blk%	Oth%	Total	Wht%	Blk%	Oth%	Total	
DISTRICT 0	0	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0	0.0	0.0	0	0
DISTRICT 1	164,926	67.9	28.4	3.7	84.8	14.2	1.0	111,966	80.0	19.4	0.6	46,787	6,173
Bay	10,069	73.3	22.2	4.5	68.4	31.2	0.4	7,377	59.5	40.2	0.3	2,239	453
Escambia	73,795	66.2	30.5	3.3	78.0	20.9	1.1	48,874	69.4	29.9	0.7	22,504	2,417
Holmes	8,098	94.6	4.8	0.5	97.9	1.9	0.2	7,663	97.9	2.0	0.1	392	43
Okaloosa	19,612	51.5	41.2	7.3	91.5	7.0	1.5	10,096	87.9	11.4	0.8	8,084	1,432
Santa Rosa	29,758	61.4	34.1	4.5	95.4	3.5	1.0	18,268	94.2	5.1	0.7	10,144	1,346
Walton	13,642	81.2	16.5	2.3	90.5	9.0	0.5	11,076	91.3	8.1	0.6	2,257	309
Washington	9,952	86.5	11.7	1.7	88.8	10.8	0.4	8,612	87.6	12.2	0.3	1,167	173
DISTRICT 2	152,093	75.6	19.8	4.6	52.4	46.9	0.8	114,993	41.0	58.5	0.5	30,102	6,998
Alachua	7,664	77.8	15.9	6.3	51.8	47.9	0.3	5,963	42.8	57.1	0.2	1,217	484
Clay	2,277	39.6	45.6	14.8	81.1	18.9	0.0	902	59.9	40.1	0.0	1,038	337
Duval	132,891	76.1	19.5	4.3	51.5	47.7	0.8	101,183	40.3	59.2	0.5	25,957	5,751
Putnam	3,604	79.0	16.3	4.6	56.5	42.5	1.0	2,848	49.3	49.6	1.1	589	167
St. Johns	5,657	72.4	23.0	4.6	59.5	39.9	0.6	4,097	46.5	53.1	0.5	1,301	259
DISTRICT 3	170,052	75.4	18.8	5.9	76.2	23.1	0.8	128,146	70.7	28.9	0.4	31,920	9,986
Bay	16,307	59.7	33.9	6.4	96.6	3.0	0.4	9,732	95.7	4.2	0.2	5,524	1,051
Calhoun	6,173	95.0	4.6	0.4	88.3	11.3	0.4	5,864	87.9	11.7	0.4	282	27
Franklin	6,015	91.2	7.8	1.0	90.1	9.7	0.2	5,487	89.4	10.5	0.1	468	60
Gadsden	18,259	91.9	6.7	1.4	47.6	52.0	0.4	16,788	44.3	55.5	0.2	1,220	251
Gulf	8,069	88.4	10.6	1.0	84.8	14.9	0.2	7,133	83.2	16.6	0.2	855	81
Jackson	18,947	87.2	11.5	1.3	79.3	20.7	0.0	16,526	77.1	22.9	0.0	2,175	246
Jefferson	2,197	86.8	11.4	1.8	65.0	35.0	0.0	1,906	60.5	39.5	0.0	251	40

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 2 OF 8]

District /County	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other Total
	TOTAL	Dem%	Rep%	Ind%	Wht%	Blk%	Oth%	Total	Wht%	Blk%	Oth%	Total	
Leon	76,042	64.0	25.6	10.4	74.2	24.3	1.4	48,632	64.6	34.5	0.9	19,469	7,941
Liberty	3,223	97.0	2.9	0.2	89.3	10.7	0.0	3,125	89.0	11.0	0.0	92	6
Madison	5,628	90.7	8.1	1.2	59.4	40.5	0.1	5,104	56.6	43.3	0.1	457	67
Wakulla	9,192	85.4	12.3	2.3	89.4	10.4	0.2	7,849	87.9	11.9	0.2	1,127	216
DISTRICT 4	185,481	70.6	24.2	5.2	89.0	10.6	0.3	130,927	85.3	14.4	0.3	44,833	9,721
Alachua	6,762	69.0	23.8	7.1	86.2	13.4	0.4	4,667	81.6	18.2	0.2	1,612	483
Baker	10,051	92.8	6.6	0.6	89.3	10.7	0.0	9,326	88.5	11.5	0.0	661	64
Bradford	4,496	87.9	9.8	2.3	79.6	20.1	0.2	3,951	77.7	22.1	0.2	441	104
Citrus	25,921	47.2	42.7	10.0	98.6	1.3	0.1	12,247	97.3	2.6	0.1	11,070	2,604
Columbia	6,033	81.0	16.2	2.8	68.0	32.0	0.0	4,884	62.0	38.0	0.0	978	171
Dixie	7,692	91.1	7.3	1.6	94.0	6.0	0.0	7,004	93.5	6.5	0.0	562	126
Gilchrist	5,823	85.4	12.5	2.1	97.3	2.6	0.2	4,970	96.8	3.0	0.2	728	125
Hamilton	6,166	94.9	4.5	0.6	67.7	32.1	0.3	5,853	66.3	33.4	0.2	277	36
Jefferson	3,699	86.6	11.0	2.4	64.4	35.6	0.0	3,204	60.0	40.0	0.0	408	87
Lafayette	3,382	96.0	3.6	0.4	94.3	5.7	0.0	3,247	94.0	6.0	0.0	122	13
Leon	34,650	66.1	25.6	8.3	86.4	12.3	1.3	22,918	82.2	16.8	1.0	8,859	2,873
Levy	5,510	71.4	23.8	4.8	99.3	0.5	0.3	3,935	99.2	0.6	0.2	1,313	262
Madison	2,366	86.9	11.2	2.0	87.7	12.0	0.3	2,055	86.2	13.6	0.2	264	47
Marion	18,106	44.1	46.9	9.0	94.7	5.3	0.0	7,984	89.1	10.9	0.0	8,500	1,622
Nassau	24,035	68.6	28.0	3.5	92.0	7.9	0.0	16,477	88.8	11.1	0.0	6,722	836
Suwannee	9,321	82.6	15.3	2.1	84.4	15.5	0.1	7,698	81.7	18.2	0.1	1,428	195
Taylor	9,020	90.7	8.6	0.6	87.0	12.3	0.7	8,184	85.9	13.3	0.8	780	56
Union	2,448	94.9	4.4	0.7	80.8	18.8	0.4	2,323	79.9	19.7	0.3	108	17

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 3 OF 8]

District /County	-----By Party-----				-----By Race-----				-----Democrats-----				-----Republicans-----				Ind/Other Total
	TOTAL	Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	
DISTRICT 5	166,812	64.3	28.5	7.3	90.9	8.1	1.0	107,201	87.6	11.6	0.7	47,506	97.7	1.2	1.1	12,105	
Alachua	77,612	57.8	31.5	10.6	89.8	8.7	1.5	44,875	85.5	13.5	1.1	24,481	97.1	1.2	1.6	8,256	
Bradford	5,810	82.1	15.0	3.0	93.5	6.4	0.1	4,768	92.3	7.6	0.1	869	99.2	0.6	0.2	173	
Clay	10,359	45.5	46.8	7.7	97.8	2.2	0.0	4,712	95.8	4.2	0.0	4,847	99.6	0.4	0.0	800	
Columbia	15,087	72.2	24.6	3.2	93.5	6.5	0.0	10,892	91.5	8.5	0.0	3,717	99.0	1.0	0.0	478	
Levy	8,541	82.6	15.0	2.4	88.4	11.3	0.2	7,052	86.5	13.3	0.2	1,285	97.7	1.9	0.4	204	
Marion	10,378	59.0	35.8	5.3	87.2	12.8	0.0	6,118	79.7	20.3	0.0	3,715	98.3	1.7	0.0	545	
Putnam	30,758	71.3	24.0	4.7	90.8	7.9	1.3	21,925	88.5	10.3	1.2	7,383	97.0	1.7	1.4	1,450	
Suwannee	5,967	79.0	18.0	3.0	94.0	5.9	0.1	4,714	92.7	7.3	0.1	1,076	99.0	0.8	0.2	177	
Union	2,300	93.3	5.8	1.0	92.0	7.7	0.3	2,145	91.8	8.1	0.1	133	94.7	2.3	3.0	22	
DISTRICT 6	160,916	47.5	44.9	7.6	94.0	5.0	0.9	76,509	90.4	9.0	0.6	72,205	98.0	0.9	1.1	12,202	
Clay	41,664	34.4	54.8	10.9	96.9	3.1	0.0	14,316	93.1	6.9	0.0	22,823	99.3	0.7	0.0	4,525	
Duval	114,389	52.7	40.9	6.5	92.8	5.9	1.3	60,247	89.5	9.7	0.8	46,735	97.4	1.0	1.6	7,407	
St. Johns	4,863	40.0	54.4	5.6	98.6	0.8	0.6	1,946	98.1	1.5	0.4	2,647	99.1	0.3	0.6	270	
DISTRICT 7	180,787	45.9	47.0	7.0	94.2	4.4	1.4	83,029	91.4	7.7	0.9	85,029	97.5	0.8	1.7	12,729	
Bay	36,879	58.4	34.5	7.2	96.9	2.6	0.5	21,526	96.0	3.7	0.3	12,715	98.8	0.6	0.6	2,638	
Escambia	56,157	48.1	45.2	6.7	92.4	5.8	1.8	27,003	88.2	10.6	1.2	25,391	96.9	0.9	2.2	3,763	
Okaloosa	57,932	35.7	56.4	7.9	93.2	4.8	1.9	20,684	88.0	10.7	1.4	32,661	96.8	1.1	2.1	4,587	
Santa Rosa	25,682	46.5	47.9	5.6	96.9	2.3	0.8	11,945	94.7	4.5	0.8	12,291	98.9	0.3	0.8	1,446	
Walton	4,137	45.2	47.6	7.1	92.6	7.1	0.3	1,871	99.6	0.1	0.3	1,971	99.7	0.0	0.3	295	
DISTRICT 8	179,829	44.7	47.2	8.1	93.7	5.2	1.1	80,340	89.3	9.8	0.8	84,944	97.8	1.0	1.2	14,545	
Duval	80,681	44.7	46.5	8.7	91.0	7.0	2.0	36,084	85.4	13.1	1.4	37,546	96.5	1.3	2.2	7,051	
Flagler	21,211	44.5	45.9	9.7	91.9	8.1	0.0	9,430	84.7	15.3	0.0	9,733	98.1	1.9	0.0	2,048	

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 4 OF 8]

District /County	-----By Party-----				-----By Race-----				-----Democrats-----				-----Republicans-----				Ind/Other Total
	TOTAL	Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	
Marion	19,812	47.0	45.5	7.6	94.9	5.1	0.0	9,310	90.5	9.5	0.0	9,006	99.0	1.0	0.0	1,496	
St. Johns	41,934	43.3	50.2	6.6	98.3	1.0	0.7	18,144	97.4	2.0	0.6	21,037	99.1	0.1	0.8	2,753	
Volusia	16,191	45.5	47.1	7.4	96.2	3.2	0.5	7,372	93.1	6.4	0.5	7,622	99.1	0.4	0.5	1,197	
DISTRICT 9	141,537	37.8	53.7	8.6	96.6	2.6	0.8	53,440	93.5	5.8	0.7	75,966	98.8	0.5	0.8	12,131	
Orange	76,389	38.4	53.0	8.6	96.1	2.4	1.5	29,356	93.6	5.2	1.2	40,489	98.2	0.4	1.4	6,544	
Seminole	65,148	37.0	54.5	8.6	97.2	2.8	0.0	24,084	93.5	6.5	0.0	35,477	99.5	0.5	0.0	5,587	
DISTRICT 10	184,884	49.0	43.2	7.7	96.7	2.8	0.5	90,668	94.3	5.2	0.5	79,951	99.2	0.3	0.4	14,265	
Hernando	73,464	44.8	46.5	8.7	97.7	2.3	0.0	32,893	95.4	4.6	0.0	34,168	99.7	0.3	0.0	6,403	
Pasco	56,077	48.8	42.2	9.0	96.3	2.5	1.2	27,369	94.2	4.6	1.2	23,657	98.6	0.3	1.1	5,051	
Polk	42,495	51.3	43.2	5.5	97.2	2.2	0.6	21,805	95.6	3.8	0.6	18,359	99.0	0.4	0.6	2,331	
Sumter	12,848	66.9	29.3	3.7	91.2	8.8	0.0	8,601	87.2	12.8	0.0	3,767	99.5	0.5	0.0	480	
DISTRICT 11	183,410	44.7	47.9	7.4	95.3	4.7	0.0	82,075	90.9	9.1	0.0	87,805	98.9	1.1	0.0	13,530	
Citrus	31,443	52.7	38.7	8.6	98.6	1.4	0.0	16,559	97.5	2.4	0.0	12,183	99.8	0.1	0.0	2,701	
Lake	85,145	39.7	53.7	6.6	95.8	4.2	0.0	33,761	91.9	8.1	0.0	45,741	98.4	1.6	0.0	5,643	
Marion	55,365	48.9	43.1	8.0	92.6	7.4	0.0	27,089	86.2	13.8	0.0	23,873	99.1	0.9	0.0	4,403	
Seminole	8,383	32.6	59.4	8.0	97.9	2.1	0.0	2,736	94.9	5.1	0.0	4,978	99.4	0.6	0.0	669	
Sumter	3,074	62.8	33.5	3.7	86.1	13.9	0.0	1,930	78.3	21.7	0.0	1,030	99.4	0.6	0.0	114	
DISTRICT 12	156,016	36.2	55.0	8.8	95.9	3.2	1.0	56,465	91.7	7.4	0.9	85,836	98.6	0.6	0.8	13,715	
Orange	88,979	37.1	53.9	9.0	95.0	3.5	1.5	33,002	90.8	8.0	1.3	47,945	98.0	0.6	1.4	8,032	
Osceola	2,907	44.4	44.8	10.8	98.2	0.7	1.0	1,291	97.4	1.5	1.1	1,301	98.9	0.1	1.0	315	
Seminole	57,198	33.4	58.3	8.3	97.2	2.8	0.0	19,085	92.9	7.1	0.0	33,348	99.5	0.5	0.0	4,765	
Volusia	6,932	44.5	46.8	8.7	94.8	3.1	2.0	3,087	91.5	6.2	2.2	3,242	97.8	0.4	1.7	603	
DISTRICT 13	172,183	46.2	42.8	11.1	97.0	2.8	0.2	79,487	94.7	5.1	0.2	73,654	99.4	0.5	0.1	19,042	

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 5 OF 8]

District /County	TOTAL	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other Total		
		Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%		Blk%	Oth%
Hillsborough	127,461	46.4	42.1	11.5	96.4	3.6	0.0	59,103	93.4	6.6	0.0	53,641	99.3	0.7	0.0	14,717
Pasco	44,722	45.6	44.7	9.7	99.0	0.4	0.7	20,384	98.6	0.7	0.7	20,013	99.4	0.1	0.5	4,325
DISTRICT 14	111,031	52.4	40.4	7.2	75.4	23.5	1.1	58,180	58.1	41.1	0.8	44,803	95.8	3.0	1.2	8,048
Orange	101,503	51.4	41.1	7.5	77.0	21.8	1.2	52,176	60.5	38.7	0.9	41,726	95.9	2.8	1.3	7,601
Seminole	9,528	63.0	32.3	4.7	58.3	41.7	0.0	6,004	38.0	62.0	0.0	3,077	94.2	5.8	0.0	447
DISTRICT 15	176,989	45.0	46.7	8.3	89.6	10.1	0.2	79,615	79.2	20.6	0.2	82,653	98.7	1.1	0.2	14,721
Brevard	102,246	43.5	47.9	8.6	92.6	7.2	0.1	44,470	84.9	14.9	0.1	48,997	98.9	0.9	0.1	8,779
Indian River	40,296	38.0	55.0	7.0	94.5	5.4	0.2	15,315	87.4	12.4	0.1	22,157	98.9	0.9	0.2	2,824
St. Lucie	34,447	57.6	33.4	9.1	75.1	24.4	0.5	19,830	60.1	39.5	0.5	11,499	97.2	2.4	0.4	3,118
DISTRICT 16	183,191	50.3	41.7	7.9	92.9	6.5	0.6	92,165	87.7	11.7	0.6	76,470	98.7	0.7	0.5	14,556
Volusia	183,191	50.3	41.7	7.9	92.9	6.5	0.6	92,165	87.7	11.7	0.6	76,470	98.7	0.7	0.5	14,556
DISTRICT 17	138,451	56.7	38.9	4.3	88.8	10.2	0.9	78,550	82.3	16.9	0.8	53,920	97.9	1.0	1.1	5,981
Highlands	23,062	50.0	44.8	5.1	92.0	6.2	1.8	11,539	86.7	11.6	1.7	10,339	97.6	0.5	1.9	1,184
Okeechobee	5,146	77.7	20.5	1.8	86.0	14.0	0.0	3,997	83.0	17.0	0.0	1,055	96.4	3.6	0.0	94
Polk	110,243	57.2	38.6	4.3	88.3	10.9	0.8	63,014	81.4	17.9	0.7	42,526	98.0	1.1	0.9	4,703
DISTRICT 18	181,617	43.8	48.7	7.6	96.5	3.2	0.3	79,480	93.2	6.5	0.3	88,363	99.3	0.5	0.2	13,774
Brevard	128,301	42.3	50.8	7.0	96.9	3.1	0.1	54,231	93.4	6.5	0.1	65,126	99.5	0.4	0.0	8,944
Osceola	53,316	47.4	43.6	9.1	95.6	3.6	0.8	25,249	92.6	6.5	0.8	23,237	98.5	0.8	0.7	4,830
DISTRICT 19	205,181	38.8	49.1	12.1	97.8	2.0	0.2	79,566	95.4	4.4	0.2	100,775	99.6	0.3	0.2	24,840
Pasco	71,110	45.1	45.1	9.8	99.1	0.3	0.6	32,064	98.9	0.5	0.6	32,093	99.4	0.1	0.5	6,953
Pinellas	134,071	35.4	51.2	13.3	97.2	2.8	0.0	47,502	93.0	7.0	0.0	68,682	99.6	0.4	0.0	17,887
DISTRICT 20	171,892	46.0	43.5	10.5	97.8	2.2	0.0	78,992	96.0	4.0	0.0	74,790	99.6	0.4	0.0	18,110
Hillsborough	42,527	51.7	38.7	9.6	96.3	3.7	0.0	21,982	94.2	5.8	0.0	16,477	99.2	0.8	0.0	4,068

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 6 OF 8]

District /County	TOTAL	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other Total		
		Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%		Blk%	Oth%
Pinellas	129,365	44.1	45.1	10.9	98.3	1.7	0.0	57,010	96.6	3.4	0.0	58,313	99.7	0.3	0.0	14,042
DISTRICT 21	121,689	69.7	22.6	7.7	59.3	40.5	0.1	84,822	46.6	53.3	0.1	27,474	91.4	8.3	0.2	9,393
Hillsborough	81,246	69.2	22.5	8.3	66.3	33.7	0.0	56,225	55.2	44.8	0.0	18,276	93.8	6.2	0.0	6,745
Manatee	11,756	59.5	33.6	6.9	67.4	31.2	1.4	6,994	50.1	48.6	1.3	3,947	94.3	4.2	1.5	815
Pinellas	28,687	75.3	18.3	6.4	36.5	63.5	0.0	21,603	22.9	77.1	0.0	5,251	81.0	19.0	0.0	1,833
DISTRICT 22	194,931	37.6	51.2	11.2	98.6	1.4	0.0	73,275	96.9	3.1	0.0	99,780	99.7	0.3	0.0	21,876
Pinellas	194,931	37.6	51.2	11.2	98.6	1.4	0.0	73,275	96.9	3.1	0.0	99,780	99.7	0.3	0.0	21,876
DISTRICT 23	148,463	47.1	43.2	9.7	94.0	5.9	0.1	69,942	88.7	11.2	0.1	64,132	99.2	0.7	0.1	14,389
Hillsborough	124,845	45.8	43.4	10.7	95.5	4.5	0.0	57,241	91.5	8.5	0.0	54,199	99.4	0.6	0.0	13,405
Polk	23,618	53.8	42.1	4.2	86.1	13.3	0.7	12,701	76.0	23.4	0.6	9,933	98.1	1.1	0.8	984
DISTRICT 24	230,119	33.6	58.2	8.2	98.7	0.9	0.4	77,246	97.3	2.2	0.5	133,890	99.4	0.2	0.4	18,983
Charlotte	71,666	37.1	55.0	7.9	97.3	1.7	1.0	26,580	95.0	3.9	1.2	39,406	98.7	0.4	0.9	5,680
Lee	20,607	36.5	54.2	9.2	99.4	0.2	0.4	7,529	99.0	0.5	0.5	11,174	99.6	0.0	0.3	1,904
Sarasota	137,846	31.3	60.4	8.3	99.3	0.6	0.1	43,137	98.4	1.5	0.2	83,310	99.7	0.1	0.1	11,399
DISTRICT 25	208,646	29.7	61.1	9.1	99.0	0.6	0.4	62,012	97.8	1.8	0.4	127,550	99.5	0.1	0.4	19,084
Collier	80,107	24.8	66.9	8.3	99.1	0.8	0.1	19,899	97.2	2.7	0.1	53,593	99.8	0.1	0.1	6,615
Lee	128,539	32.8	57.5	9.7	98.9	0.6	0.6	42,113	98.0	1.5	0.5	73,957	99.3	0.1	0.5	12,469
DISTRICT 26	190,959	41.4	50.9	7.7	96.0	3.5	0.5	79,151	91.9	7.6	0.5	97,132	99.0	0.5	0.5	14,676
DeSoto	10,004	73.9	23.2	3.0	89.1	10.9	0.1	7,388	85.5	14.4	0.1	2,317	99.2	0.8	0.0	299
Hardee	8,559	84.3	14.2	1.5	92.6	7.4	0.1	7,219	91.8	8.2	0.1	1,214	97.3	2.6	0.1	126
Highlands	15,956	48.2	46.6	5.2	95.5	3.0	1.5	7,693	92.8	5.7	1.4	7,437	98.2	0.3	1.5	826
Manatee	111,690	36.9	54.2	8.9	97.9	1.5	0.6	41,238	95.9	3.5	0.6	60,513	99.3	0.2	0.5	9,939
Sarasota	44,750	34.9	57.3	7.8	93.4	6.4	0.2	15,613	83.9	15.9	0.2	25,651	98.7	1.1	0.1	3,486

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 7 OF 8]

District /County	TOTAL	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other		
		Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total
DISTRICT 27	226,339	32.8	55.9	11.4	98.1	1.7	0.2	74,211	95.5	4.2	0.3	126,429	99.5	0.4	0.1	25,699
Indian River	13,352	19.2	74.1	6.7	99.8	0.1	0.1	2,570	99.5	0.3	0.2	9,890	99.9	0.0	0.1	892
Martin	65,992	29.2	62.3	8.5	97.5	2.5	0.0	19,275	93.2	6.8	0.0	41,116	99.2	0.8	0.0	5,601
Palm Beach	86,391	34.0	53.0	13.0	99.1	0.9	0.0	29,355	97.8	2.2	0.0	45,830	99.8	0.2	0.0	11,206
St. Lucie	60,604	38.0	48.8	13.2	97.0	2.3	0.7	23,011	94.0	5.2	0.8	29,593	99.1	0.4	0.5	8,000
DISTRICT 28	210,713	51.9	36.0	12.1	98.6	1.4	0.0	109,350	97.8	2.2	0.0	75,870	99.6	0.4	0.0	25,493
Broward	14,337	67.7	22.8	9.5	98.2	1.4	0.3	9,705	97.9	1.8	0.2	3,266	99.2	0.5	0.4	1,366
Palm Beach	196,376	50.7	37.0	12.3	98.6	1.4	0.0	99,645	97.8	2.2	0.0	72,604	99.6	0.4	0.0	24,127
DISTRICT 29	152,493	57.7	33.2	9.1	88.4	10.3	1.3	87,981	82.8	16.1	1.0	50,654	96.5	1.9	1.5	13,858
Broward	122,733	57.5	32.9	9.6	90.0	8.5	1.5	70,577	85.6	13.2	1.2	40,402	96.5	1.6	1.9	11,754
Collier	3,557	50.4	42.5	7.1	88.8	10.9	0.3	1,792	79.6	20.0	0.3	1,513	98.3	1.4	0.3	252
Hendry	10,347	74.9	22.2	2.9	87.1	11.9	1.0	7,753	84.1	14.8	1.1	2,294	96.6	2.7	0.7	300
Palm Beach	15,856	49.6	40.6	9.8	76.2	23.8	0.0	7,859	56.8	43.2	0.0	6,445	96.1	3.9	0.0	1,552
DISTRICT 30	118,366	69.7	22.5	7.8	49.4	50.0	0.6	82,474	34.0	65.5	0.5	26,683	88.4	10.7	0.9	9,209
Broward	55,864	80.7	13.6	5.7	29.0	69.7	1.3	45,094	20.2	79.0	0.8	7,601	72.0	25.0	3.0	3,169
Palm Beach	62,502	59.8	30.5	9.7	67.7	32.3	0.0	37,380	50.8	49.2	0.0	19,082	94.9	5.1	0.0	6,040
DISTRICT 31	185,998	37.5	51.1	11.4	97.3	1.9	0.8	69,775	94.8	4.3	0.9	95,058	99.1	0.3	0.6	21,165
Broward	135,456	39.6	49.6	10.7	96.7	2.2	1.1	53,703	94.1	4.7	1.2	67,198	98.7	0.4	0.9	14,555
Palm Beach	50,542	31.8	55.1	13.1	99.0	1.0	0.0	16,072	97.4	2.6	0.0	27,860	99.8	0.2	0.0	6,610
DISTRICT 32	169,004	55.6	35.8	8.6	88.7	9.1	2.3	93,935	83.7	14.4	1.8	60,515	95.8	1.6	2.6	14,554
Broward	142,971	55.2	36.1	8.7	93.3	4.4	2.4	78,888	91.4	6.6	1.9	51,673	96.1	1.2	2.7	12,410
Dade	26,033	57.8	34.0	8.2	63.5	34.8	1.7	15,047	43.4	55.3	1.3	8,842	94.1	3.9	2.0	2,144
DISTRICT 33	190,219	56.4	32.4	11.2	95.8	2.9	1.3	107,219	94.8	4.3	1.0	61,629	97.6	0.9	1.5	21,371

TAB 14: 1994 VOTER REGISTRATION BY DISTRICT, PLAN 386 — SENATE [TABLE 4 OF 5, PART 8 OF 8]

District /County	TOTAL	-----By Party-----			-----By Race-----			-----Democrats-----			-----Republicans-----			Ind/Other		
		Dem%	Rep%	Ind%	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total	Wh%	Blk%	Oth%	Total
Broward	190,219	56.4	32.4	11.2	95.8	2.9	1.3	107,219	94.8	4.3	1.0	61,629	97.6	0.9	1.5	21,371
DISTRICT 34	116,858	37.0	53.1	10.0	97.4	1.5	1.1	43,189	95.8	3.2	1.0	62,040	98.8	0.3	0.9	11,629
Dade	116,858	37.0	53.1	10.0	97.4	1.5	1.1	43,189	95.8	3.2	1.0	62,040	98.8	0.3	0.9	11,629
DISTRICT 35	160,491	53.7	37.4	8.9	92.5	7.1	0.5	86,162	87.9	11.6	0.5	59,992	98.2	1.3	0.4	14,337
Charlotte	9,849	45.1	48.4	6.6	93.7	5.6	0.7	4,438	88.6	10.7	0.7	4,763	98.2	1.1	0.7	648
Glades	4,724	79.3	18.2	2.5	85.9	9.0	5.0	3,745	83.4	11.1	5.5	859	95.8	0.9	3.3	120
Lee	51,474	47.4	44.7	7.9	88.9	10.3	0.9	24,407	79.9	19.3	0.8	23,023	97.6	1.5	0.8	4,044
Martin	734	47.8	42.0	10.2	73.7	26.3	0.0	351	56.7	43.3	0.0	308	89.0	11.0	0.0	75
Okeechobee	8,587	72.7	25.0	2.4	99.7	0.3	0.0	6,240	99.6	0.4	0.0	2,143	100.0	0.0	0.0	204
Palm Beach	85,123	55.2	33.9	10.9	94.3	5.7	0.0	46,981	91.0	9.0	0.0	28,896	98.8	1.2	0.0	9,246
DISTRICT 36	100,232	74.8	19.2	6.0	38.2	60.7	1.1	74,953	24.1	75.2	0.7	19,264	87.4	10.7	1.9	6,015
Dade	100,232	74.8	19.2	6.0	38.2	60.7	1.1	74,953	24.1	75.2	0.7	19,264	87.4	10.7	1.9	6,015
DISTRICT 37	117,418	35.1	53.8	11.1	95.8	2.5	1.7	41,196	92.8	5.6	1.5	63,151	98.1	0.4	1.5	13,071
Dade	117,418	35.1	53.8	11.1	95.8	2.5	1.7	41,196	92.8	5.6	1.5	63,151	98.1	0.4	1.5	13,071
DISTRICT 38	132,096	60.9	28.0	11.1	92.4	6.4	1.2	80,444	90.3	8.9	0.8	36,943	96.9	1.7	1.4	14,709
Dade	132,096	60.9	28.0	11.1	92.4	6.4	1.2	80,444	90.3	8.9	0.8	36,943	96.9	1.7	1.4	14,709
DISTRICT 39	95,550	31.7	58.5	9.8	96.4	2.1	1.5	30,292	93.4	5.2	1.4	55,870	98.4	0.3	1.2	9,388
Dade	95,550	31.7	58.5	9.8	96.4	2.1	1.5	30,292	93.4	5.2	1.4	55,870	98.4	0.3	1.2	9,388
DISTRICT 40	115,410	64.2	27.1	8.7	61.5	37.4	1.1	74,103	45.6	53.6	0.7	31,241	93.4	5.2	1.4	10,066
Dade	76,032	71.7	20.2	8.1	43.7	54.7	1.5	54,538	28.7	70.4	0.9	15,322	87.6	9.7	2.7	6,172
Monroe	39,378	49.7	40.4	9.9	95.9	3.9	0.2	19,565	93.0	6.8	0.2	15,919	99.0	0.8	0.2	3,894
STATE	6,553,272	49.5	41.9	8.6	90.0	9.3	0.7	3,243,526	82.3	17.1	0.6	2,743,609	98.2	1.1	0.7	566,137

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 1 OF 8]

Dist	-----US SENATE 94-----			-----GOVERNOR 94-----			-----SEC STATE 94-----			-----ATTY GENERAL 94-----			-----COMPTROLLER 94-----						
	Rodham	Mack		Chiles	Bush		Saunders	Mortham		Butterworth	Ferro		Lewis	Milligan					
	Votes	%		Votes	%		Votes	%		Votes	%		Votes	%					
1	21,005	24	67,478	76	40,195	44	50,501	56	37,482	44	48,085	56	38,123	44	43,544	51	42,615	49	
2	32,855	43	42,814	57	48,321	60	31,702	40	44,226	61	28,850	39	22,835	30	49,165	65	25,995	35	
3	33,130	34	64,248	66	58,894	59	40,910	41	61,257	64	34,029	36	69,880	74	25,173	26	66,152	69	
4	30,173	28	78,568	72	54,271	49	56,251	51	57,269	54	48,705	46	67,254	63	38,731	37	61,346	58	
5	28,768	31	65,531	69	50,054	52	45,979	48	50,745	56	40,048	44	58,870	64	32,732	36	51,234	56	
6	17,237	17	81,728	83	31,216	31	68,584	69	31,042	33	63,366	67	43,981	45	52,765	55	36,658	38	
7	16,214	17	79,793	83	37,689	39	59,796	61	31,415	34	61,722	66	42,514	46	50,709	54	34,517	37	
8	23,610	22	83,008	78	41,606	38	66,756	62	37,728	37	65,024	63	50,267	48	54,458	52	42,385	41	
9	19,030	23	65,278	77	39,445	46	45,747	54	28,854	35	52,490	65	40,735	50	40,910	50	31,238	39	
10	30,440	27	82,271	73	56,782	50	57,469	50	51,169	47	58,489	53	63,186	58	45,865	42	53,320	49	
11	27,479	24	87,870	76	56,719	48	60,481	52	48,508	43	63,270	57	60,372	54	52,061	46	49,785	45	
12	20,249	22	73,830	78	41,509	44	53,374	56	30,583	34	60,190	66	42,836	47	48,177	53	33,673	37	
13	26,917	26	77,883	74	50,520	47	56,855	53	46,221	45	56,403	55	57,095	56	45,348	44	47,035	46	
14	21,722	34	41,477	66	35,285	55	28,916	45	29,571	48	31,922	52	36,345	59	25,294	41	30,924	50	
15	28,526	27	77,671	73	52,367	49	53,561	51	43,258	42	59,475	58	53,955	52	49,186	48	46,440	45	
16	31,828	33	65,979	67	55,010	55	44,590	45	46,330	49	48,137	51	57,217	60	37,868	40	49,962	53	
17	23,279	27	63,021	73	42,628	49	44,670	51	41,229	48	43,869	52	49,436	58	35,462	42	42,040	50	
18	25,941	23	86,337	77	51,889	46	59,912	54	41,877	39	66,400	61	56,030	51	52,890	49	45,404	42	
19	32,316	26	92,251	74	64,431	50	63,377	50	50,347	43	66,438	57	69,160	57	52,981	43	55,123	46	
20	27,276	26	77,747	74	56,857	53	51,425	47	44,913	47	50,130	53	64,508	62	39,217	38	51,741	50	
																		51,052	50

[For printing efficiency, columns (election contests) arranged in different order than in the original.]

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 2 OF 8]

Dist	-----US SENATE 94-----			-----GOVERNOR 94-----			-----SEC STATE 94-----			-----ATTY GENERAL 94-----			-----COMPTROLLER 94-----							
	Rodham	Mack		Chiles	Bush		Saunders	Mortham		Butterworth	Ferro		Lewis	Milligan						
	Votes	%		Votes	%		Votes	%		Votes	%		Votes	%						
21	33,739	52	31,159	48	48,392	70	20,332	30	42,721	68	20,279	32	48,871	76	15,753	24	45,255	70	19,095	30
22	28,761	24	91,300	76	61,056	49	63,014	51	42,731	40	64,549	60	68,174	57	50,886	43	53,073	45	64,530	55
23	21,577	23	71,240	77	40,864	43	53,700	57	38,469	42	52,298	58	48,145	53	42,508	47	39,516	44	51,099	56
24	34,009	24	109,214	76	69,150	47	76,458	53	59,433	42	80,898	58	71,247	51	68,947	49	52,449	38	84,710	62
25	26,911	20	105,543	80	55,261	41	78,203	59	44,532	35	84,505	65	54,332	42	74,034	58	39,897	32	84,887	68
26	27,925	24	88,408	76	57,163	48	61,340	52	50,425	44	63,718	56	60,616	53	52,822	47	48,457	43	64,335	57
27	31,701	23	103,213	77	65,788	47	72,898	53	53,509	41	77,469	59	62,412	47	69,157	53	51,739	40	78,005	60
28	57,534	45	71,260	55	91,014	68	42,109	32	79,671	63	47,205	37	89,653	70	38,435	30	77,854	62	48,204	38
29	34,646	42	48,811	58	54,412	64	31,269	36	50,554	62	30,742	38	60,403	73	22,695	27	50,839	62	30,700	38
30	33,092	57	25,387	43	46,678	76	14,839	24	42,193	73	15,453	27	45,796	78	12,787	22	42,262	73	15,436	27
31	29,636	28	78,078	72	57,018	52	53,074	48	47,991	46	57,236	54	65,122	61	41,992	39	46,681	44	58,424	56
32	39,832	42	55,755	58	62,072	63	36,299	37	58,377	63	34,399	37	69,286	73	25,815	27	58,682	63	34,541	37
33	53,683	48	57,447	52	79,500	70	34,433	30	73,669	67	35,638	33	85,199	77	25,709	23	72,825	67	36,344	33
34	17,153	23	56,396	77	29,897	39	46,938	61	28,208	41	39,797	59	33,072	47	37,441	53	26,180	39	41,791	61
35	31,199	34	59,672	66	53,611	57	39,889	43	47,116	53	42,019	47	54,870	61	34,964	39	48,499	55	39,293	45
36	30,276	59	20,669	41	41,491	74	14,551	26	37,694	76	11,911	24	40,167	78	11,150	22	37,506	76	12,007	24
37	16,980	24	53,396	76	27,708	38	45,791	62	26,389	40	40,387	60	31,240	45	37,532	55	26,007	39	40,816	61
38	35,191	49	37,342	51	52,432	69	24,064	31	47,725	69	21,229	31	51,883	73	18,866	27	45,434	66	23,608	34
39	10,430	19	44,703	81	17,008	28	42,738	72	16,613	32	34,865	68	19,573	37	33,736	63	17,064	33	34,007	67
40	26,921	49	27,747	51	40,818	70	17,624	30	39,667	73	14,510	27	40,620	75	13,796	25	36,422	68	16,943	32
FLA	1139191	30	2691523	70	2017021	51	1910419	49	1781711	48	1916149	52	2185885	58	1569810	42	1838327	50	1873833	50

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 3 OF 8]

Dist	TREASURER 94-----			AGRICULTURE 94-----			EDUCATION 94-----			EDUCATION DEM PRI 94			US SENATE 92*		
	Nelson	Ireland	Votes %	Crawford	Smith	Votes %	Jamerson	Brogan	Votes %	Griffin	Votes %	Jamerson	Graham	Votes %	Grant
1	41,828	49	43,995	51	44,071	51	37,062	43	48,478	57	16,120	55	13,007	45	74,559
2	48,402	65	26,291	35	45,832	60	45,503	59	31,093	41	14,452	56	11,525	44	71,610
3	62,457	66	32,878	34	62,565	65	56,978	60	38,526	40	18,936	46	22,148	54	95,899
4	60,483	57	45,473	43	58,873	55	52,602	50	53,217	50	21,914	51	20,909	49	96,742
5	54,211	60	36,867	40	50,214	55	47,421	52	42,966	48	13,298	50	13,235	50	91,808
6	37,015	39	59,120	61	33,264	34	27,865	29	68,030	71	10,756	58	7,938	42	65,396
7	35,310	38	57,812	62	40,499	43	30,976	34	61,363	66	10,268	53	9,110	47	64,459
8	44,255	42	60,346	58	41,088	39	35,353	34	48,782	60	4,757	44	6,118	56	72,144
9	43,846	53	39,122	47	38,532	47	32,488	40	59,288	54	12,174	55	10,092	45	87,346
10	54,337	50	55,132	50	57,176	52	49,568	46	62,960	57	11,346	52	10,636	48	90,574
11	57,353	51	55,676	49	58,074	51	47,838	43	56,599	62	5,363	47	5,985	53	74,055
12	45,922	50	46,406	50	49,551	54	33,996	38	56,394	55	7,659	47	8,803	53	81,151
13	47,099	46	55,853	54	49,734	48	45,582	45	30,092	49	5,682	44	7,350	56	63,723
14	38,686	62	24,031	38	34,675	56	31,302	51	59,909	59	7,822	51	7,382	49	83,070
15	55,936	53	49,699	47	48,201	48	42,154	41	48,968	52	9,525	53	8,451	47	90,076
16	55,151	57	41,100	43	50,687	54	45,686	48	47,107	56	11,375	52	10,448	48	70,775
17	41,589	49	43,599	51	48,558	57	37,316	43	37,257	44	9,312	52	8,429	48	86,911
18	61,206	55	50,834	45	49,425	46	57,383	54	64,020	59	6,805	46	7,950	54	95,092
19	60,665	50	61,155	50	60,001	49	63,432	51	64,931	53	7,079	41	10,271	59	90,576
20	53,882	52	49,189	48	52,248	50	52,436	50	50,885	49	7,079	41	10,271	59	90,576

[For printing efficiency, columns (election contests) arranged in different order than in the original.]

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 4 OF 8]

Dist	TREASURER 94-----			AGRICULTURE 94-----			EDUCATION 94-----			EDUCATION DEM PRI 94			US SENATE 92*		
	Nelson	Ireland	Votes %	Crawford	Smith	Votes %	Jamerson	Brogan	Votes %	Griffin	Votes %	Jamerson	Graham	Votes %	Grant
21	45,033	70	19,539	30	44,213	68	46,728	71	19,399	29	5,787	31	12,805	69	71,143
22	58,212	49	60,008	51	56,505	47	55,505	47	63,256	53	5,832	41	8,540	59	95,273
23	38,014	42	53,394	58	43,244	47	36,592	40	54,053	60	7,747	48	8,447	52	68,736
24	60,000	43	78,521	57	65,567	47	56,037	41	82,262	59	6,689	49	6,889	51	93,476
25	43,640	34	85,995	66	48,638	38	40,225	32	86,929	68	5,705	57	4,240	43	88,902
26	50,299	44	63,371	56	55,785	49	47,681	42	65,488	58	8,446	47	9,505	53	86,300
27	56,894	44	73,761	56	58,210	44	44,351	34	87,261	66	7,715	54	6,650	46	94,893
28	84,428	67	42,125	33	83,045	66	78,029	62	47,362	38	8,550	43	11,324	57	110,262
29	51,274	63	30,158	37	51,225	62	49,196	60	32,266	40	7,147	52	6,622	48	79,654
30	43,305	75	14,424	25	42,691	73	42,743	73	15,875	27	5,157	41	7,403	59	66,601
31	51,471	49	53,918	51	51,555	49	46,055	44	58,611	56	5,061	46	5,886	54	83,783
32	59,350	64	33,581	36	58,085	62	57,112	61	35,850	39	6,919	48	7,584	52	89,422
33	75,640	69	33,427	31	74,911	68	73,169	67	36,200	33	7,811	45	9,577	55	99,727
34	27,815	41	39,979	59	27,097	39	26,057	38	41,630	62	4,776	45	5,921	55	69,942
35	48,429	54	40,941	46	50,664	56	45,632	52	42,588	48	9,894	54	8,573	46	82,119
36	38,222	77	11,455	23	36,822	74	38,496	76	12,012	24	7,345	48	8,016	52	67,059
37	26,552	40	40,112	60	25,652	38	25,119	38	41,501	62	4,192	46	4,884	54	70,468
38	47,119	69	21,627	31	45,687	66	45,465	67	22,674	33	6,808	43	9,170	57	86,764
39	17,293	34	33,778	66	16,370	31	15,684	31	35,530	69	3,186	56	2,505	44	54,042
40	37,070	69	16,277	31	36,256	68	36,455	68	17,208	32	7,432	51	7,040	49	63,474
FLA	1959693	52	1780969	48	1934596	52	1759011	47	1960648	53	347077	49	359580	51	3243835

Note: an asterisk (*) beside the office name indicates that absentee votes have been included in the estimates.

If no asterisk is present, absentee votes have not been included in the estimates.

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 5 OF 8]

Dist	US PRESIDENT 92*			SEC STATE DEM PRI 90*						SEC STATE DEM RUN 90*	
	Clinton Votes %	Bush Votes %	Perot Votes %	Hastings Votes %	Minter Votes %	Rogers Votes %	Hastings Votes %	Minter Votes %			
1	39,237 31	62,121 48	27,042 21	10,956 33	9,836 30	12,481 38	3,881 29	9,611 71			
2	59,541 54	38,155 35	12,354 11	12,898 49	6,726 26	6,624 25	7,544 54	6,407 46			
3	61,186 45	49,957 36	25,877 19	13,925 34	14,939 37	11,626 29	8,359 37	14,078 63			
4	54,922 38	56,077 39	31,735 22	13,108 31	15,824 37	13,717 32	7,866 29	19,643 71			
5	57,160 43	47,749 36	28,825 22	9,883 29	13,163 38	11,574 33	6,141 26	17,576 74			
6	32,235 25	77,293 59	20,476 16	5,022 26	7,563 39	6,736 35	1,134 15	6,388 85			
7	29,798 23	69,964 53	31,992 24	6,787 28	9,033 37	8,347 35	1,303 15	7,275 85			
8	43,266 31	71,696 51	25,897 18	5,547 27	7,691 38	6,946 34	1,752 19	7,457 81			
9	39,196 32	59,552 48	25,208 20	3,504 25	6,199 44	4,502 32	999 19	4,218 81			
10	50,068 37	53,889 39	32,950 24	7,192 29	9,620 39	8,064 32	1,888 22	6,830 78			
11	50,528 34	62,784 42	34,478 23	7,411 32	7,422 32	8,638 37	3,768 28	9,926 72			
12	39,035 30	65,018 49	27,613 21	3,525 27	5,183 40	4,237 33	937 22	3,315 78			
13	49,821 35	60,375 42	32,045 23	6,767 28	9,904 41	7,401 31	2,435 21	9,326 79			
14	41,123 42	40,670 41	16,868 17	7,299 44	5,287 32	4,105 25	3,072 50	3,101 50			
15	48,360 34	55,614 39	38,145 27	6,206 30	7,518 36	7,181 34	2,309 30	5,380 70			
16	58,649 43	51,150 37	27,155 20	7,504 30	10,139 41	7,202 29	1,887 22	6,673 78			
17	41,600 37	50,483 44	21,873 19	6,836 28	10,465 42	7,547 30	2,107 21	7,771 79			
18	46,943 31	67,978 44	38,674 25	5,709 24	8,703 37	8,964 38	1,501 20	6,095 80			
19	63,313 37	64,945 38	42,198 25	5,809 30	8,587 44	5,196 27	739 15	4,073 85			
20	56,736 38	57,459 39	34,970 23	6,734 26	12,023 47	6,699 26	1,737 17	8,229 83			

[For printing efficiency, columns (election contests) arranged in different order than in the original.]

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 6 OF 8]

Dist	US PRESIDENT 92*			SEC STATE DEM PRI 90*			SEC STATE DEM RUN 90*		
	Clinton Votes %	Bush Votes %	Perot Votes %	Hastings Votes %	Minter Votes %	Rogers Votes %	Hastings Votes %	Minter Votes %	
21	56,434 57	26,245 27	15,469 16	13,377 53	6,291 25	5,674 22	6,110 50	6,168 50	
22	59,802 35	66,724 40	42,306 25	5,477 27	10,368 50	4,774 23	840 16	4,411 84	
23	38,317 32	57,021 47	26,097 21	6,107 29	8,241 39	6,944 33	2,412 22	8,611 78	
24	66,274 35	79,060 42	42,874 23	8,567 34	10,436 41	6,244 25	1,572 24	4,856 76	
25	49,685 29	85,578 49	38,870 22	3,863 31	4,552 36	4,196 33	1,685 29	4,128 71	
26	52,450 34	67,837 44	35,365 23	8,185 33	9,970 40	6,848 27	2,118 26	6,115 74	
27	53,263 30	77,481 44	45,470 26	3,774 24	6,632 43	5,115 33	1,372 21	5,135 79	
28	91,436 53	52,117 30	27,610 16	4,984 22	12,191 54	5,363 24	2,292 16	12,495 84	
29	61,816 50	39,519 32	22,382 18	7,242 33	8,655 39	6,182 28	3,295 37	5,564 63	
30	60,367 63	21,988 23	12,949 14	12,240 60	4,452 22	3,575 18	7,391 68	3,416 32	
31	55,627 36	65,457 43	32,192 21	5,062 26	8,556 44	5,872 30	1,105 20	4,472 80	
32	65,493 49	44,594 34	22,877 17	8,301 36	9,177 39	5,896 25	3,643 44	4,714 56	
33	86,760 57	42,525 28	23,848 16	7,595 28	12,993 48	6,280 23	1,240 16	6,694 84	
34	31,959 32	56,644 57	10,844 11	3,625 24	7,530 49	4,248 28	2,340 26	6,778 74	
35	57,643 44	45,737 35	27,588 21	6,277 30	8,298 39	6,697 31	2,870 26	8,087 74	
36	54,941 68	20,493 25	5,198 6	17,784 75	3,082 13	2,705 11	16,091 85	2,761 15	
37	32,536 33	55,502 56	10,964 11	3,136 27	5,318 46	3,199 27	1,924 29	4,649 71	
38	65,353 59	33,351 30	11,744 11	6,736 28	12,057 50	5,504 23	3,806 28	9,951 72	
39	21,712 28	47,689 62	8,065 10	2,130 29	2,795 38	2,464 33	1,443 31	3,269 69	
40	47,201 56	23,385 28	13,163 16	14,001 62	4,498 20	3,942 18	12,060 74	4,304 26	
FLA	2071786 39	2171876 41	1052250 20	301085 33	341917 38	259509 29	136968 33	279950 67	

Note: an asterisk (*) beside the office name indicates that absentee votes have been included in the estimates.

If no asterisk is present, absentee votes have not been included in the estimates.

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 7 OF 8]

Dist	-----GOVERNOR 90*-----			-----TREASURER 90*-----			-----EDUCATION 90*-----			-----US SENATE 88*-----						
	Chiles	Martinez	%	Stuart	Gallagher	%	Castor	Kirk	%	MacKay	Votes	%				
1	41,352	48	43,939	52	40,879	51	39,747	49	50,670	63	30,261	37	43,343	40	65,445	60
2	44,160	60	29,109	40	34,159	49	36,230	51	52,783	74	18,438	26	50,725	57	37,561	43
3	60,452	64	33,546	36	42,001	47	47,322	53	64,992	72	25,121	28	59,288	58	43,528	42
4	56,766	57	42,852	43	42,323	44	54,835	56	67,378	70	29,499	30	61,626	56	47,708	44
5	52,357	59	35,647	41	38,111	45	46,171	55	61,483	72	23,910	28	66,476	61	42,446	39
6	30,743	38	50,017	62	22,085	28	56,953	72	47,843	60	31,714	40	33,387	34	65,222	66
7	37,618	42	50,905	58	35,943	42	49,261	58	50,438	59	34,785	41	35,170	32	74,417	68
8	37,190	43	49,718	57	28,771	34	55,542	66	52,649	62	32,150	38	40,515	40	60,882	60
9	41,183	54	35,556	46	33,314	44	42,220	56	46,992	63	28,012	37	38,929	41	55,953	59
10	59,361	59	41,399	41	44,739	45	54,078	55	65,742	66	33,438	34	59,334	54	50,281	46
11	49,568	50	49,493	50	43,329	45	53,150	55	59,866	62	36,730	38	54,824	50	55,536	50
12	38,313	51	36,154	49	31,183	43	41,888	57	43,372	60	29,461	40	34,825	39	55,170	61
13	57,277	61	37,060	39	38,496	42	53,630	58	62,582	68	29,853	32	49,556	53	43,870	47
14	37,612	59	25,913	41	31,830	51	30,810	49	41,941	67	20,285	33	39,081	49	40,208	51
15	45,446	49	46,651	51	44,230	48	47,781	52	56,335	61	35,920	39	47,290	44	60,803	56
16	50,800	54	43,610	46	42,667	47	47,662	53	60,024	66	30,766	34	54,034	50	54,172	50
17	47,151	56	37,165	44	35,047	43	46,821	57	56,133	68	26,322	32	48,805	50	48,832	50
18	49,003	50	49,959	50	44,825	45	53,923	55	62,232	63	36,988	37	49,614	41	71,067	59
19	74,279	61	48,036	39	45,441	38	74,639	62	81,001	68	38,848	32	74,494	52	69,267	48
20	68,700	65	36,996	35	39,511	38	63,603	62	73,779	71	29,909	29	66,884	54	56,426	46

(For printing efficiency, columns (election contests) arranged in different order than in the original.)

TAB 14: ELECTION ESTIMATES BY DISTRICT, PLAN 386 — SENATE [TABLE 5 OF 5, PART 8 OF 8]

Dist	-----GOVERNOR 90*-----			-----TREASURER 90*-----			-----EDUCATION 90*-----			-----US SENATE 88*-----				
	Chiles	Martinez		Stuart	Gallagher		Castor	Kirk		MacKay	Mack			
	Votes	%	Votes	%	Votes	%	Votes	%	Votes	%	Votes	%		
21	52,728	75	17,376	25	38,066	58	53,296	79	14,184	21	49,890	68	23,896	32
22	74,955	61	46,951	39	41,336	35	82,385	69	37,181	31	74,616	50	73,436	50
23	45,791	56	35,436	44	31,181	40	47,526	60	51,185	65	37,341	49	38,424	51
24	66,634	50	67,334	50	46,545	36	83,629	64	80,951	62	64,206	47	72,274	53
25	47,345	42	64,241	58	33,891	31	75,771	69	61,256	56	47,054	36	82,875	64
26	58,572	54	49,775	46	39,679	37	66,703	63	68,258	64	58,678	47	65,107	53
27	50,725	45	61,939	55	46,412	42	64,838	58	59,889	55	46,983	39	73,687	61
28	70,861	65	38,283	35	58,051	54	48,563	46	75,648	71	63,698	58	46,787	42
29	48,730	65	25,782	35	33,742	46	38,823	54	50,451	71	54,749	59	38,193	41
30	44,098	71	18,024	29	36,465	61	23,769	39	45,702	76	50,125	65	27,121	35
31	51,254	50	51,846	50	33,728	33	67,304	67	57,824	58	53,759	43	71,687	57
32	52,304	67	25,908	33	33,414	44	42,976	56	53,315	71	55,152	59	38,626	41
33	65,018	70	27,916	30	45,387	50	45,925	50	67,608	75	69,598	62	42,927	38
34	35,460	50	35,657	50	18,575	27	49,176	73	36,143	55	33,760	41	48,623	59
35	50,302	58	36,503	42	43,215	51	41,739	49	57,182	68	50,883	51	48,729	49
36	44,856	78	12,573	22	32,602	60	21,287	40	41,651	79	41,071	67	20,237	33
37	31,346	51	29,795	49	16,635	28	42,489	72	32,293	56	31,585	42	43,516	58
38	56,231	73	20,613	27	35,820	49	37,650	51	54,594	76	57,711	66	30,153	34
39	20,757	45	25,395	55	11,806	27	31,887	73	20,704	49	19,747	35	35,999	65
40	45,785	73	17,144	27	31,666	51	30,628	49	44,488	73	46,449	62	28,447	38
FLA	199,308	57	153,221	43	146,700	43	196,315	57	225,305	66	201,525	50	204,938	50

Note: an asterisk (*) beside the office name indicates that absentee votes have been included in the estimates.

If no asterisk is present, absentee votes have not been included in the estimates.

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,

Plaintiffs,

v.

CASE NO. 94-622-CTV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General of the United States, et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate, et al.,

Defendant-Intervenor.

AFFIDAVIT

State of Florida

County of Leon

BEFORE ME, the undersigned authority, personally appeared William DeGrove, who was sworn and says under penalty of perjury that the following allegations are true and correct and made on personal knowledge and that the affiant is competent to testify to the matters stated:

1. My name is William DeGrove. I am employed by the Florida House of Representatives as the Staff Director of the Office of Policy Research. I served on the Reapportionment Committee of the House as a Legislative Chief Analyst throughout the 1990-92 redistricting session with responsibilities for drawing, reporting on, and analyzing redistricting plans. I am a demographer by profession, and I have a Master of Science degree.

The following are my comments with respect to Proposed Senate Plan 386 and Existing Senate Plan 330.

ONE PERSON ONE VOTE

2. Proposed Senate Plan 386 complies with the princip[le] of "One Person One Vote." Proposed Senate Plan 386 has one district (21) which exceeds the ideal population (323,448) by +1.23 percent. The maximum deviation below the ideal population is only -.442 percent (district 1). The existing Senate Plan 330 has maximum variations of +.423 percent and -.442 percent.

One way to illustrate the differences in the plans is to examine the percentage spread between the most extreme districts. This can be done by taking the ratios of the percentage variations from ideal, high and low, in the most extreme districts.

PLAN	PERCENTAGE SPREAD	RATIO
Plan 330	$100.423/99.558 =$	1.009
Plan 386	$101.23/99.558 =$	1.017

The difference in the ratio of high to low districts in the two plans is only 8 one thousandths. In other words Senate Plan 386 is less equitable with respect to "one man one vote" than the existing senate plan by only 8 one thousandths when extreme districts are compared.

POLITICAL NEUTRALITY

3. Proposed Senate Plan 386 is very nearly politically neutral with respect to Democratic/Republican registration and political performance when compared to Senate Plan 330. This is evidenced by the fact that District 23 in Senate Plan 386 has been kept neutral with respect to the original District 23. The 1994 recompiled election returns in the current and in the Proposed District 23 are as similar in political balance as can practically be achieved. Registration changes show a slight relative increase for Democrats in Senate Plan 386. Please see Table 1.

In Proposed Senate Plan 386 Republican gains in district 13 have been balanced by Democratic gains in district 17. Lastly, Democratic losses in district 21 are an inevitable result of consolidating the

district geographically, and the changes should not affect the Democratic dominance of the district's elections. Please see Table 1.

/s/ William DeGrove
WILLIAM DEGROVE
AFFIANT

Sworn to and subscribed before me this 16th day of November, 1995.

/s/ Wendy Grant Holt
NOTARY PUBLIC
State of Florida at Large

TABLE 1: 1994 REGISTRATION PERCENTAGES
SENATE PLAN 330 (CURRENT) AND PROPOSED SENATE PLAN 386

Senate District	Democrat			Republican			Total Difference	Independent		
	Plan 330	Plan 386	Difference	Plan 330	Plan 386	Difference		Plan 330	Plan 386	Difference
13	48.6	46.2	-2.4	40.7	42.8	+2.1	4.5	10.7	11.1	+0.4
17	53.9	56.7	+2.8	41.6	38.9	-2.7	5.5	4.5	4.3	-0.2
21	72.5	69.7	-2.8	20.9	22.6	+1.7	4.5	6.6	7.7	+1.1
23	46.3	47.1	+0.8	42.7	43.2	+0.5	0.3	11.0	9.6	-1.4

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v. CASE No. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General, et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate, et al.,

Defendant-Intervenors.

SUPPLEMENTAL DECLARATION OF
DR. ALLAN J. LICHTMAN

1. My name is Allan J. Lichtman. I previously filed a preliminary report in this case that, among other issues, analyzed the voting patterns of blacks and non-blacks for Senate districts within the Tampa Bay region of Florida. See doc. 130, United States' Response In Opposition To Plaintiffs' Motion for Summary Judgment, Ex. 11. That report demonstrated that in the Tampa Bay area, black voters are politically cohesive, and non-black voters usually vote as a bloc against black candidates who are the candidates of choice of black voters (Id. at 10-13). This affidavit uses the results of that voting analysis to examine opportunities for black voters to elect candidates of their choice in State Senate District 21 in the Settlement Plan (Plan 386) and State Senate District 21 in the Martin Lawyer Plan.

2. The results of analyzing the "viability" of these districts shows that District 21 in the Settlement Plan provides a reasonable opportunity for black voters to elect candidates of their choice, whereas District 21 in the Martin Lawyer Plan provides no such opportunity.

3. The ecological regression analysis presented in my preliminary report provides information for assessing the likely outcome of a black versus white election in a Senatorial district in the Tampa Bay region. This includes region-wide estimates of the cohesion of the black electorate (the mean or average percentage vote by black voters for black candidates) and the crossover vote of the non-black electorate (the mean or average percentage vote by non-black voters for black candidates). The same regression methodology also yields estimates of the rates of participation by voting age blacks and non-blacks in a given election. "Participation rates" are the respective percentages of the black and non-black voting age populations who turn out to vote.

4. Table 1 projects the likely vote for a black candidate of choice of black voters in District 21 of the Settlement Plan. These projections are computed for the primary/runoff sequence involving Alcee Hastings' candidacy for Secretary of State. This electoral sequence was chosen as the focus of analysis for two reasons. First, the Hastings' sequence is the only statewide contest (and thus the only contest covering the entire Tampa Bay region) involving both a primary and runoff election that pits a black against a white candidate. Winning a runoff may well be a prerequisite for a black candidate of choice gaining election to a senatorial position in this region, especially in districts with black percentages in the low 20 percent to the mid 30 percent range, such as District 21 in the Lawyer and Settlement Plans. Second, there is reconstituted election data that shows the actual results of this primary/runoff sequence in each of the two proposed Senate districts under consideration in this report. Thus, two independent methods are available for assessing the viability of the districts based on the Hastings primary/runoff sequence.¹ A district that provides reasonable opportunities for blacks to elect candidates of their choice should produce projections of greater than 50 percent of the overall vote for the black candidate of choice of black voters.

¹ While this approach is not the most comprehensive and extensive one that could be performed, it does examine the key threshold for election of a senatorial candidate of choice in these districts: a primary/runoff sequence. Thus, it is sufficient for the purposes of this affidavit.

5. This analysis of each type of election begins with the percentage black of the voting-age population in the district. *See, e.g.,* Table 1, I, Step 1. It then uses the participation rates of whites and blacks described above (*see, e.g.,* Table 1, I, Steps 2 and 3) to estimate the percentage of blacks among those actually turning out to vote. The percentage black in the actual electorate equals a ratio. The numerator equals the percentage black of the voting age population multiplied by the black turnout rate. The denominator equals the sum of this numerator, and the percentage white of the voting age population multiplied by the white turnout rate. *See, e.g.,* Table 1, I, Step 4. The percentage non-black in the actual electorate is simply 100% minus the percentage black of the actual electorate. *See, e.g.,* Table 1, I, Step 5.

6. The vote cast for the black candidate by the black electorate equals the sum of the black percentage in the electorate multiplied by the black cohesion rate. *See, e.g.,* Table 1, I, Step 6. The vote cast for the black candidate by the white electorate equals the white percentage in the electorate multiplied by the white crossover rate. *See, e.g.,* Table 1, I, Step 7.² The total vote for the black candidate equals the sum of these last two figures. *See, e.g.,* Table 1, I, Step 8.

7. The results of the analysis, reported in Table 1, show that black voters have a reasonable opportunity to elect a candidate of their choice in District 21 of the Settlement Plan (which has a black voting age population of 36 percent). The projected vote for the Hastings primary race is 52.8 percent. The projected vote for the runoff is 53.3 percent. The average of these two projected votes is 53.1 percent. This set of closely corresponding results indicates that District 21 in Plan 386 is not even close to being a "safe" district for black candidates, and by no means guarantees a black candidate's victory. It is one that is just above the minimum required for establishing a viable district for a black candidate of choice.

8. Table 2 reports the results of an identical analysis for District 21 in the Martin Lawyer plan which has a black voting-age population of 23 percent. In this instance, the results show that black voters

² For a full explication of the methodology see Allan J. Lichtman and Gerald Hebert, "A General Theory of Vote Dilution," *La Raza* (1993).

do not have a reasonable opportunity to elect a candidate of their choice in District 21 of this plan. The projected vote for the first primary election is 42.8 percent for the black candidate of choice. The projected vote for the runoff is 41.6 percent. The average of these two projections is 42.2 percent. By significantly reducing the black voting age population from the level in the Settlement Plan, the Lawyer Plan's District 21 falls significantly below the threshold required for establishing a viable minority district. In fact, the results of the Hastings sequence project a near landslide defeat for the black candidate of choice.³

9. The results of these projections are confirmed independently by the outcomes of another analysis based on "reconstituting" the Hastings primary and runoff elections within the boundaries of District 21 for each plan (Table 3). A "reconstituted" election is created by summing up the results of a statewide election for all of the precincts that would fall within the area covered by any given district. An election can be "reconstituted" in this way for any district, even proposed districts which have not yet been adopted, like District 21 in the Settlement and Lawyer plans. The results of this process disclose how the candidates in the statewide contest would have fared within the boundaries of that district. The findings reported in Table 3 show that, within the boundaries of District 21 in the Settlement Plan, Hastings received 53 percent of the primary vote and 50 percent of the runoff vote, for an average of 51.5% (close to the projections in Table 1). In contrast, the results reported in Table 3 show that within the boundaries of District 21 in the Lawyer Plan, Hastings received 43 percent of the primary vote and 38 percent of the runoff vote, for an average of 40.5% (likewise close to the projections in Table 2). Thus actual election results for the areas included within District 21 of the Lawyer Plan show the black candidate losing by a near landslide in the primary election and by slightly greater than a landslide in the runoff election.

10. Therefore, two independent methods of analysis yield the same substantive results. Both the projections for a black candidate

³ In American political history, a landslide is generally considered an election in which the winner garners 60 percent of the vote or more.

of choice and the reconstituted elections demonstrate that black voters have a reasonable opportunity to elect candidates of their choice in District 21 of the Settlement Plan, but not in District 21 of the Lawyer Plan.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ Allan J. Lichtman 11/13/95
Dr. Allan J. Lichtman Date

TABLE 1: PROJECTED VOTE FOR BLACK CANDIDATE OF CHOICE
OF BLACK VOTERS [—] STATE OF FLORIDA: TAMPA BAY REGION:
36 PERCENT BLACK VAP DISTRICT

I. 1990 Secretary of State (First Primary Only)

Based on the 1990 Secretary of State Primary Election, Analyzed in Allan J. Lichtman, Preliminary Report on Florida State Senate Districts (TABLE 1)

1. % Black of Voting Age = 36%
2. % Black of Voting Age Turning Out = 13%
3. % Non-Black of Voting Age Turning Out = 9%
4. % Black Among Voters = 45%
(%Black Among Voters = $36 \cdot .13 / (36 \cdot .13 + 64 \cdot .09) = 45\%$)
5. % Non-Black Among Voters = 55%
(% Non-Black Among Voters = $45\% - 100\% = 55\%$)
6. Black Votes for Black Cand. = 40.1%
(Black Votes for Black Cand. = $45 \cdot .89 = 40.1\%$)
7. Non-Black Votes for Black Cand. = 12.7%
(Non-Black Votes for Black Cand. = $55 \cdot .23 = 12.7\%$)
8. Total Vote for Black Cand. = 52.8%

II. 1990 Secretary of State (Runoff Only)

Based on the 1990 Secretary of State Runoff Election, analyzed in Allan J. Lichtman, Preliminary Report on Florida State Senate Districts (TABLE 1)

1. % Black of Voting Age = 36%
2. % Black of Voting Age Turning Out = 6%
3. % Non-Black of Voting Age Turning Out = 3.5%
4. % Black Among Voters = 49%
(% Black Among Voters = $36 \times .06 / (36 \times .06 + 64 \times .035) = 49\%$)
5. % Non-Black Among Voters = 51%
(% Non-Black Among Voters = $49\% - 100\% = 51\%$)
6. Black Votes for Black Cand. = 45.6%
(Black Votes for Black Cand. = $49 \times .93 = 45.6\%$)
7. Non-Black Votes for Black Cand. = 7.7%
(Non-Black Votes for Black Cand. = $51 \times .15 = 7.7\%$)
8. Total Vote for Black Cand. = 53.3%

III. Average for Primary and Runoff = 53.1%

$$((52.8\% + 53.3\%) / 2 = 53.1\%)$$

TABLE 2: PROJECTED VOTE FOR BLACK CANDIDATE OF CHOICE OF BLACK VOTERS [—] STATE OF FLORIDA: TAMPA BAY REGION: 23 PERCENT BLACK VAP DISTRICT

I. 1990 Secretary of State (First Primary Only)

Based on the 1990 Secretary of State Primary Election, Analyzed in Allan J. Lichtman, Preliminary Report on Florida State Senate Districts (TABLE 1)

1. % Black of Voting Age = 23%
2. % Black of Voting Age Turning Out = 13%
3. % Non-Black of Voting Age Turning Out = 9%
4. % Black Among Voters = 30%
(% Black Among Voters = $23 \times .13 / (23 \times .13 + 77 \times .09) = 30\%$)

5. % Non-Black Among Voters = 70%
(% Black Among Voters = $30\% - 100\% = 70\%$)

6. Black Votes for Black Cand. = 26.7%
(Black Votes for Black Cand. = $30 \times .89 = 26.7\%$)

7. Non-Black Votes for Black Cand. = 16.1%
(Non-Black Votes for Black Cand. = $70 \times .23 = 16.1\%$)

8. Total Vote for Black Cand. = 42.8%

II. 1990 SECRETARY OF STATE (RUNOFF ONLY)

BASED ON THE 1990 SECRETARY OF STATE RUNOFF ELECTION, ANALYZED IN ALLAN J. LIGHTMAN, PRELIMINARY REPORT ON FLORIDA STATE SENATE DISTRICTS (TABLE 1)

1. % Black of Voting Age = 23%
2. % Black of Voting Age Turning Out = 6%
3. % Non-Black of Voting Age Turning Out = 3.5%
4. % Black Among Voters = 34%
(% Black Among Voters = $23 \times .06 / (23 \times .06 + 77 \times .035) = 34\%$)
5. % Non-Black Among Voters = 66%
(% Black Among Voters = $34\% - 100\% = 66\%$)
6. Black Votes For Black Cand. = 31.6%
(Black Votes for Black Cand. = $34 \times .93 = 31.6\%$)
7. Non-Black Votes for Black Cand. = 9.9%
(Non-Black Votes for Black Cand. = $66 \times .15 = 9.9\%$)
8. Total Vote For Black Cand. = 41.5%

III. Average For Primary and Runoff = 42.2%

$$((42.8\% + 41.5\%) / 2 = 42.2\%)$$

TABLE 3: RESULTS OF RECONSTITUTED ELECTIONS
PRIMARY & RUNOFF
1990 SECRETARY OF STATE (HASTINGS, BLACK CAND.)
DISTRICT 21, SETTLEMENT PLAN, LAWYER PLAN

	PERCENTAGE VOTE FOR HASTINGS	
	SETTLEMENT PLAN	LAWYER PLAN
PRIMARY	53%	43%
RUNOFF	50%	38%

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,

Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General of the United States, et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate, et al.,

Defendant-Intervenor.

AFFIDAVIT

State of Florida

County of Leon

BEFORE ME, the undersigned authority, personally appeared Peter Rudy Wallace, who was sworn and says under penalty of perjury that the following allegations are true and correct and made on personal knowledge and that the affiant is competent to testify to the matters stated:

1. I am Speaker of the House of Representatives. I am authorized to settle this lawsuit pursuant to Florida House of Representatives Rule 2.4 which provides in relevant part:

(c) The Speaker or the Committee on Rules and Calendar may authorize counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee of the House, a Member of the House (whether in the legal capacity of Member or taxpayer), a former Member of the House, or an officer or employee of the House, when such suit

is determined by the Speaker to be of significant interest to the House and when it is determined by the Speaker that the interests of the House would not otherwise be adequately represented. Expenses incurred for legal services in such proceedings may be paid upon approval of the Speaker.

2. This settlement plan (Senate Plan 386) is fair to minority voters and provides minority voters an equal opportunity to participate in the political process and to elect representatives of their choice.

3. Adoption of this settlement plan (Senate Plan 386) will avoid a costly, time-consuming trial that would distract the Legislature from other pressing issues.

4. This settlement plan reduces uncertainty in the electoral process.

5. This settlement plan changes Senate District 22 by less than 1% of the population of the district.

6. This settlement plan provides for contiguous districts.

7. This settlement plan complies with the requirement of one person, one vote.

/s/ Peter Rudy Wallace
PETER RUDY WALLACE
AFFIANT

Sworn to and subscribed before me this 14th day of November, 1995.

/s/ Wendy Grant Holt
NOTARY PUBLIC
State of Florida at Large

DECLARATION OF MR. MICHAEL COCHRAN

Pursuant to 28 U.S.C. §1746, I declare under the penalty of perjury as follows:

1. I have personal knowledge of the facts set forth below.

2. My name is Michael Cochran. I live in Tallahassee, Florida. I was awarded a B.A. degree in geography from Florida State University (FSU) in 1969. I received a Masters Degree from the FSU College of Education, Department of Counseling and Human Systems in 1974. I received a J.D. degree from the FSU College of Law in 1987. I am a member in good standing of The Florida Bar, currently employed as the Chief Attorney in the Florida Department of State's Division of Elections (Division).

3. I have been employed by the Division since March, 1990. Prior to that time, I was employed for three years as staff attorney/legislative analyst to the Senate Committee on Ethics and Elections and as staff attorney/legislative analyst to the Senate Judiciary Committee on all matters relating to elections. As the Committees' analyst I was responsible for advising staff and members of the Senate regarding Florida's Election Code and for drafting elections legislation.

4. My duties at the Division include drafting legislative proposals and drafting the administrative rules that interpret and implement provisions of The Florida Election Code. On an annual basis, I conduct seminars on The Florida Election Code for County and Circuit Court Judges, for certain constitutional officers (including sheriffs, property appraisers and tax collectors), and for political party executive committee members. I also conduct local seminars on behalf of the local supervisors of elections that are attended by the supervisors, their employees, local public officials and candidates for local office. Local supervisors of elections, officials, candidates, and members of the public seek my advice on a daily basis regarding interpretation of the elections laws, technical assistance in voting procedures, registration, and other matters related to voting and the conduct of elections.

5. I have routinely authored papers and other publications for the Legislature and for the Division to inform the public about the

application of The Florida Election Code, examples include: *Alternative Methods of Vote Casting* (1990); *Report on Late Filing of County Election Returns* (1989); *Florida's Signature Requirement For Constitutional Initiative* (1989); and, *A Review of Florida's Resign To Run Law* (1988). I have co-authored other Division publications including but not limited to: *The Candidate Handbook On Campaign Finance*; *Summary Report On Florida's Experience in Public Campaign Finance in the 1994 Elections*; and the *Division of Elections Annual Report*.

6. Pursuant to section 106.23(2), Florida Statutes, the Division is authorized to issue legally binding opinions interpreting The Florida Election Code. As the Division's Chief Attorney I am responsible for drafting those opinions. I have personally drafted 30 binding formal opinions and 204 informal opinions since March, 1990.

7. In preparing this Declaration, I have reviewed the redistricting plan that is the basis for the settlement agreement between the parties (Plan 386) and supporting statistical information that has been provided by the Florida Senate.¹ In reviewing Plan 386 I have also considered the application of The Florida Election Code, the opinions of the Division of Elections, and the decisions of Florida courts interpreting the Florida election laws as they apply to this plan and this case. I am of the opinion that the adoption of Plan 386 by this Court would not require any special elections. Furthermore, this plan satisfies the one-person, one-vote requirement as interpreted by Florida courts, and the impact of Plan 386 is so *de minimis* that it would not require any elected official to run for office outside the normal elections cycle.

8. The Florida Secretary of State is charged pursuant to section 15.13, Florida Statutes, with the duty of supervising and administering The Florida Election Code. Section 97.012, Florida Statutes, establishes the Secretary of State as Florida's chief election officer and empowers her to "obtain and maintain uniformity in the application, operation, and interpretation of the election laws." Together, these provisions impose duties on the Secretary of State to

¹ I understand that Mr. Martin Lawyer's party status and his position on the settlement agreement are in doubt.

assure the integrity of the elections process and results, and to assure that elections are fair in every respect.

9. In my capacity as Chief Attorney to the Division, I am one of the public officials primarily responsible for administering the election code on behalf of the Secretary of State. During the time I have been employed by the Division, I have assisted with literally hundreds of elections. In 1992, I helped to administer the local, state and federal elections that were conducted following the redistricting that occurred after the 1990 decennial census, which included the current Florida Senate districts.

10. Florida's existing state and federal voting districts (the product of the 1992 redistricting) were the subject of extensive litigation that was not finally resolved until July of 1992. Because the 1992 redistricting shifted large numbers of voters into new districts immediately prior to the September elections, in many instances there was not time for state and local officials to adequately prepare for the election in a responsible and thorough manner.

11. In 1992, changes in precincts and polling places were made at a very late date. Notice to voters and candidates was, in many instances, inadequate. The result was extensive voter confusion. Many voters were uncertain about which districts they lived in, what precincts they should vote in, and about the locations of their polling places. The brief time allowed before the elections resulted in hasty drawing of precinct boundaries by local supervisors. Some people were allowed to vote in elections in which they had no legal interest while simultaneously being deprived of the opportunity to vote in elections in which they were entitled to vote. Similarly, some candidates erroneously "qualified" to run for office in districts in which they were not legally permitted to run. Other potential candidates (as a result of the confusion) failed to properly qualify for office at all. There is no way of estimating the number of candidates who did not run (depriving voters of additional choices), or the number of voters who simply stayed home, as a result of these complications.

12. In 1992, the Department of State undertook an extensive effort to assist local supervisors in correcting these problems in advance of the September elections. The Division conducted

hearings to determine whether some individuals should be allowed to qualify as candidates for office after established qualifying deadlines had passed. The necessity for these hearings was attributable to the untimely manner in which district boundaries were established and the complexity of the 1992 redistricting. These types of election failures compromise the integrity of the elections process and undermine voter confidence. These breakdowns lead voters to conclude that elections are not fairly conducted and ultimately have a debilitating effect on democracy. It is to avoid any recurrence of such events that the Secretary of State has intervened in these proceedings.

13. Two factors critical in determining the impact of a redistricting plan on the administration of the election laws are: (1) the time available for implementing the plan and (2) the plan's complexity. In addition to meeting the legal requirements outlined above, Plan 386 presents the Court with an early opportunity to resolve this case. Approving Plan 386 now — substantially in advance of the next election — would minimize the effect on the elections schedule and give the Division and the local elections supervisors ample opportunity to make appropriate adjustments in precinct boundaries, to notify voters of precinct changes and changes in polling places, and to notify affected voters and candidates of their new districts. This factor (timing) weighs heavily in favor of approving Plan 386. The object of this case is ostensibly to assure that voters are treated fairly. Based on my experience with elections and redistricting, delaying a resolution in this case may deprive some voters and candidates of a fair elections process, undoing any good that could otherwise be accomplished.

14. The second factor that is critical to an orderly administration of the election laws in the context of a redistricting is the complexity of the plan. Plan 386 accomplishes its purpose within the confines of traditional redistricting principles by moving district boundaries only to the extent necessary. By minimizing the movement of district boundaries, Plan 386 also minimizes the need for changes in precinct boundaries. The plan leaves the vast majority of the population (almost 3 million people) in the nine potentially affected districts completely unaffected. Of this population, only eight percent are moved into a new district; and all but 3,225 people will have an

opportunity to vote in a Senate election in 1996. The remaining 3,225 voters — who fall within District 22 and are confined to a small geographic area — will vote in a State Senate election in 1998.

15. To summarize this declaration, I am of the opinion that Plan 386 complies with all relevant Florida election laws. This plan will not be difficult to implement and will not interfere with the fair and uniform administration of Florida's elections. No special or out-of-cycle elections would be required under this plan. Indeed, if adopted soon, this plan would facilitate the fair and uniform administration of The Florida Election Code.

Pursuant to 18 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ Michael Cochran

Michael Cochran

11/16/95

Date

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General, et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate,

Defendant-Intervenor.

DECLARATION OF CHARLES B. WELLS

I, Charles B. Wells, under penalty of perjury state as follows:

1. I have personal first-hand knowledge of the facts stated in this declaration.

2. I am a resident of Manatee County and have resided in this County periodically since 1964. I am Sheriff of Manatee County. I was first elected to this position in 1984. As Sheriff of Manatee County, my duties and responsibilities include: being chief law enforcement officer for the county, providing public safety to residents, and providing educational services concerning law enforcement and drug prevention to the Manatee County School system.

3. I first met Senator James Hargrett when he was elected to represent State Senate District 21, which includes a portion of Manatee County. I have worked with Senator Hargrett and his office on a one-to-one basis concerning a variety of issues important to law enforcement generally, and to Manatee County in particular. I have

always found Senator Hargrett to be accessible and responsive to the issues and needs of his Manatee County constituents.

4. Issues pertaining to law enforcement and crime that affect Manatee County are similar to those in Pinellas and Hillsborough counties. Senator Hargrett has helped me and my fellow law enforcement officials in the Tampa Bay area in addressing crime problems. Senator Hargrett served on the Senate Select Committee on Juvenile Justice Reform during the 1994 legislative session, during which time reform of the juvenile justice system was the top priority of citizens statewide. I spent much of the spring that year in Tallahassee lobbying for criminal justice reforms important to citizens of Manatee County, the Tampa Bay area, and the state. I worked very closely with Senator Hargrett, and he was instrumental in winning legislative approval for significant reforms. Senator Hargrett has been particularly helpful in supporting our efforts to get the Manatee County Juvenile Boot Camp off the ground and to build on the tremendous success of that program. He also lent key support for legislation extending career service benefits to deputies, and generally has been supportive of all enforcement issues that affect the citizens of Manatee County.

5. From my experiences working with Senator Hargrett, observing him and talking to him, I find that he works effectively on behalf of all of his constituents. The multi-county configuration of Senate District 21 has not diminished the way Senator Hargrett directs his efforts or represents his constituents. Since the district proposed in the settlement plan, Plan 386, is more compact than the current District 21, I do not believe the configuration of the proposed district, including Hillsborough, Pinellas and Manatee counties, will adversely affect the effectiveness of representation received by the citizens of Manatee County in any way.

6. Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ Charles B. Wells
CHARLES B. WELLS
DATE: 11/15/96

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,

Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, etc., et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate, et al.,

Defendant-Intervenors.

DECLARATION OF FREDERICK B. KARL

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury the following:

1. I have personal knowledge of the facts set out below.

2. My name is Frederick B. Karl. I have lived in Hillsborough County for the last 7+ years. I am President/CEO of Tampa General Hospital, a public facility and regional tertiary center in Tampa, Florida, which provides medical services to residents of Hillsborough and the surrounding counties. From 1956 to 1964, I served as a member of the Florida House of Representatives; and from 1968 to 1972, I was a member of the Florida Senate. I was the last elected Justice of the Florida Supreme Court, having been elected statewide in 1976. In 1988, I moved to Hillsborough County where I served as County Attorney from 1988-1990, and as County Administrator from 1990-1994.

3. In my public roles in Hillsborough County, and in other official capacities as well, I have worked with Florida legislators to express Hillsborough County concerns and urge them to represent Hillsborough County interests. I worked in this manner both before

and after the 1992 redistricting of the Florida Senate. Hillsborough County's government and Tampa General Hospital have many and varied legislative issues to work with. For example, the County received legislative authority to develop a unique, model indigent health care program; the charter government was enhanced by the purging of obsolete and cumbersome special acts; the housing program was supported and improved by legislation; funding for Medicare, Medicaid, and the USF medical college has been meaningful and important to the entire community.

4. I subscribe to the philosophy of representative government that requires a Senator or Representative to use his/her judgment on all issues, and that such legislators are not required to poll their constituents on every issue. Therefore, in my view, the quality of the elected person is more important than the shape of the district. So long as each district contains approximately the same number of people, and there are quality candidates to choose from, the design of the district is relatively unimportant as to the expected legislative product. I have closely watched legislative delegations from Hillsborough County since 1955, when Sam Gibbons, now a veteran U.S. Congressman was a State Representative. In that period there have been numerous reapportionment changes, with both House and Senate districts having different sizes and shapes. I am of the opinion that Hillsborough County has a delegation today (under the 1992 plan) that is as strong and effective as any group that has ever been elected to serve the county.

I don't believe Hillsborough County's influence in the Florida Senate has declined because Hillsborough County residents are represented by several senators. If anything, representation of Hillsborough County issues has improved. Under the 1980s plan, there were only three senators whose districts included part of Hillsborough County whom I would call if Hillsborough concerns needed a voice in the Senate. Under the current plan, there are five such senators, four with substantial numbers of Hillsborough constituents, and three of whom have Hillsborough as their primary source of constituents. Under the plan proposed in the settlement agreement, Plan 386, there are four such senators whose districts include part of Hillsborough County.

5. Senator James Hargrett is a particularly conscientious and effective representative of Hillsborough County in the Senate. I have worked with Mr. Hargrett on a number of issues of concern to Hillsborough since he became a senator in 1992, and I have always found him to be accessible, receptive, and willing to work hard to see that the needs of Hillsborough County were not overlooked in the Senate.

6. Because of the foregoing, I can state unequivocally that Hillsborough County has just as effective representation in the Florida Senate today as it did under the 1980s redistricting plan.

Pursuant to 28 U.S.C. 1746, I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

/s/ Frederick B. Karl
FREDERICK B. KARL
DATE: 11/16/95

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General, et al.,

Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate,

Defendant-Intervenor, and

SENATOR JAMES T. HARGRETT,

Defendant-Intervenor, and

MOEASE SMITH, [et al.,]

Defendant-Intervenors.

DECLARATION OF CLARENCE FORT

I, Clarence Fort, make the following declaration pursuant to 28 U.S.C. §1746:

1. I am an African-American registered voter in Florida Senate District 21, which is currently represented by Senator James T. Hargrett. I reside in the Progress Village neighborhood in Hillsborough County, Florida. I am a Deputy Sheriff with the Community Relations Department in the Hillsborough County Sheriff's Office, representing the office all over the Tampa Bay area on crime prevention issues and issues affecting low income residents. I have personal first-hand knowledge of the facts presented in this declaration.

2. I am a defendant-intervenor in this lawsuit, a member of the Moease Smith, et al. defendant-intervenor group. As a party in this litigation, I had the opportunity to participate in the mediation process which ultimately led to the creation of the proposed settlement plan. I have examined the map of the proposed District 21 which is part of the settlement redistricting plan. I would be a resident of this district.

3. I believe that the new District 21 would preserve the communities of interests which exist between the residents of Hillsborough, Pinellas and Manatee counties. The residents of the new district would also confront similar issues which we routinely ask our state senator to address.

4. The residents of the proposed District 21 would have a great deal in common. Since most of us are working or middle class, we all share a common economic background. By also linking low income areas of the counties included in the proposed district, the new District 21 would bring together people with common concerns and problems, including the economic development of the area and crime prevention. For example, I travel throughout the Tampa Bay area assisting in addressing crime prevention concerns of the residents. In fact, I participate in the "Hands Across the Bay" program in which I travel to Pinellas County to counsel youth on non-violent alternatives to solving problems.

5. Many of our community's social and service organizations have members from all over the proposed district. My church, the New Mt. Zion Baptist Church, has members from Hillsborough and Pinellas counties. Also, the National Organization for Black Law Enforcement Executives has members from Hillsborough and Pinellas counties. In addition, while there are branches of the N.A.A.C.P. in each of the counties included in the proposed district, each branch and its members support the activities of the other branches.

6. Senator Hargrett is a very responsive and concerned representative of the current District 21. He visits our community often and is very accessible to us. He has been personally involved in many of the issues facing our community, helping, for example, to settle a dispute between our community and a company that wanted to start

a phosphate business in our area. He also was personally involved in the building of the new Lee Davis Neighborhood Service Center in District 21 which assists low income residents with their medical and housing needs. Prior to Senator Hargrett, I do not recall seeing any Senator come out to visit our community.

7. Based on my knowledge of Senator Hargrett's current representation, the shape of the proposed District 21 in the settlement redistricting plan would not hinder the effectiveness of the representation of the district. I believe that the configuration of the proposed District 21 would foster and not diminish Senator Hargrett's ability to represent us effectively under the proposed plan.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. §1746.

Dated on November 14, 1995.

/s/ Clarence Fort
Clarence Fort

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,
Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, by and through JANET RENO,
Attorney General, et al.,
Defendants, and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his official capacity
as President of the Florida Senate,
Defendant-Intervenor, and

SENATOR JAMES T. HARGRETT,
Defendant-Intervenor, and

MOEASE SMITH, [et al.,]
Defendant-Intervenors.

DECLARATION OF EDWARD KIRKLAND

I, Edward Kirkland, make the following declaration pursuant to 28 U.S.C. §1746:

1. I am an African American registered voter in Florida Senate District 21, which is currently represented by Senator James T. Hargrett. I reside in the City of St. Petersburg in Pinellas County, Florida. I have been involved in many community organizations, including the N.A.A.C.P. and Citizens for Excellence and Profound Change, which sponsors debates about the area's economy and supports local candidates. I am also Chair of Concerned Citizens of Pinellas County, which promotes discussion of issues of concern to the Pinellas County community. I have personal first-hand knowledge of the facts presented in this declaration.

2. I have reviewed the map of the new District 21 contained in the proposed settlement redistricting plan. I would be a resident of

this proposed District 21. I believe that the new District 21 would maintain and foster the communities of interests which exist between Hillsborough, Pinellas, and Manatee county residents of all races. I also believe that the residents of the new district would have similar concerns and face common issues which could be addressed by our representative to the Florida Senate. The new configuration of District 21 would not hinder the effectiveness of our representation.

3. The proposed District 21 would contain residents which share a community of interest with each other and have common concerns about the various social problems which confront our community, including crime and the AIDS crisis. We also have an interest in promoting community-based programs which will address these concerns. For example, in St. Petersburg and in Tampa, our community faces a large AIDS crisis. In St. Petersburg, we have an interest in and have tried to attract funding to the south side of the city and to the People of Color AIDS Coalition to combat this problem. Also, we have sought funding to support programs which would help provide jobs and affordable housing to low income residents and medical and dental care to the elderly in our community. All of these issues are also issues of concern in Tampa, as well as Bradenton and Palmetto in Manatee County.

4. The district would also maintain links between residents with common economic and social backgrounds who share the same concerns and goals regarding the region's economy. This region's economy is growing rapidly and, Hillsborough, Pinellas and Manatee counties are linked in this economic development. For example, the Tampa Bay area has its first major-league baseball team, the Devil Rays, who will play in a newly built stadium in St. Petersburg and who will be enjoyed by fans on both sides of the bay. Also, the region is witnessing a growth in the hospitality industry, with the building of new hotels and motels in the area. The members of our community across the Tampa Bay area all want to share in the benefits of this economic development, receiving a fair opportunity to seek contracts and subcontracts for this new development and ensuring that residents receive adequate job training.

5. In addition, residents of the proposed district would share common cultural interests, as demonstrated by the various cultural

exchanges between the black communities of Pinellas and Hillsborough counties. Tampa has a black history museum and black theaters and cultural groups, such as the African American Arts Council. St. Petersburg also has several black cultural groups, such as the Black Uhuru group. Residents from both cities cross the bay to attend events and cultural programs, such as lecturers and concerts, sponsored by these and other groups. Black citizens throughout the region are kept informed of cultural events and social issues affecting the black community by the Weekly Challenger and the Florida Sentinel which report on issues of particular interest to our community.

6. Senator Hargrett is a very responsive and accessible representative of District 21 as it is currently configured. Senator Hargrett visits St. Petersburg and the Pinellas County portions of the district often and is always there when you need him. Senator Hargrett has focused on the issues of concern to our community, helping to direct funding to our area to address our housing and health care needs. He has also concentrated on issues surrounding our economic development, developing programs to attract developers and contractors to build in our community and which provide job training. Senator Hargrett has also tried very hard to inform members of our community about opportunities for appointments to state legislative committees and posts, making a number of appointments to these bodies from our community. While previous representatives either did not show an interest in our community or only showed an interest at election time, Senator Hargrett provides effective, responsive representation to all of current District 21's residents.

7. Based on my knowledge of Senator Hargrett's current representation, I believe that the shape of District 21 in the settlement redistricting plan would foster and not diminish his ability to represent us effectively under the proposed plan.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to 28 U.S.C. §1746.

Dated on November 17th, 1995.

/s/ Edward Kirkland
Edward Kirkland

**ITEM 6: TRANSCRIPT OF
NOVEMBER 20, 1995, HEARING**

[1] UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, *et al.*,
Plaintiffs,

vs.

THE U.S. DEPARTMENT
OF JUSTICE, *etc., et al.*,
Defendants,

and

THE FLORIDA SENATE, through
SENATOR JIM SCOTT in his
official capacity as President
of the Florida Senate, *etc., et al.*[.]
Defendants-Intervenors

CASE NO.: 94-622-CIV-T-23B
Tampa, Florida
November 20, 1995
9:30 A.M.

TRANSCRIPT OF FAIRNESS HEARING
BEFORE THE HONORABLE GERALD B. TJOFLAT,
RALPH W. NIMMONS, JR. AND STEVEN D. MERRYDAY
UNITED STATES JUDGES

Court Reporter:

Carol J. Jacobs, RPR, CP
Official Court Reporter
611 N. Florida Avenue, Room 313
Tampa, Florida 33602
(813) 223-3025

Proceedings recorded by mechanical stenography;
computer-assisted transcription.

[2] APPEARANCES:

For the Plaintiffs:

JAMES MAXWELL LANDIS
TERRI GILLIS TUCKER
Foley & Lardner
100 N. Tampa Street, Suite 2700
Post Office Box 3391
Tampa, Florida 33601-3391
813/229-2300
C. MARTIN LAWYER, III
3105 River Grove Drive
Tampa, Florida 33610

For the Defendant The United States Department of Justice:

STEVEN J. MULROY
U.S. Department of Justice
Civil Rights Division
Voting Rights Section
Post Office Box 66128
Washington, D.C. 20035-6128
202/514-9821

For the Defendant State of Florida:

GEORGE LEE WAAS
Attorney General's Office
Department of Legal Affairs
The Capitol, Suite PL-01
Tallahassee, Florida 32399-1050
904/488-1573

[3] For the Intervenor the Florida Senate:

BENJAMIN H. HILL, III
CHARLENE HONEYWELL
Hill, Ward & Henderson, P.A.
101 E. Kennedy Boulevard, Suite 3700
Post Office Box 2231
Tampa, Florida 33601
813/221-3900

STEPHEN N. ZACK

Zack, Hanzman, Ponce, Tucker,
Korge & Gillespie, P.A.
100 SE Second Street
International Place, Suite 2800
Miami, Florida 33131
305/539-8400

For the Intervenor Florida House of Representatives:

GERALD B. CURINGTON
ELAINE NEW
Office of the General Counsel
319 The Capitol
Tallahassee, Florida 32399-1300
904/488-7631

For the Intervenor James T. Hargrett, Jr.:

ROBERT B. MCDUFF
Law Office of Robert B. McDuff
771 N. Congress Street
Jackson, Mississippi 39202
601/969-0802

For the Intervenor Moease Smith, etc.:

TODD A. COX
Lawyers' Committee for Civil
Rights Under Law
1450 G Street, N.W., Suite 400
Washington, D.C. 20005
202/662-8600

[4] For the Florida Secretary of State Sandra Mortha[m]:

DONALD L. BELL
General Counsel
Florida Department of State
LL10, The Capitol
Tallahassee, Florida 32399-0250
904/488-3684

For Objector Senator Helen Gordon Davis:

MARK BROWN

For the Florida State Conference of NAACP Branches:
CHARLES BURR

[5] (Call to Order of the Court at 9:35 a.m.)

JUDGE TJOFLAT: Please be seated.

We are here pursuant to notice that was given by Judge Merryday openly in open court on the 2nd of November at the status conference. We're here for a fairness hearing concerning the settlement proposed by the state defendants and the plaintiffs, with the exception of plaintiff Lawyer.

As the moving papers for the settlement proposal indicate, this plan — and I'm paraphrasing — is the product of the legislature informally, after consultation with the Secretary of State and the Attorney General and the plaintiffs and others, I suppose, and following submission by the State of Florida to the Department of Justice for preclearance under Section 5 of the Voting Rights Act, which preclearance has issued.

We are here — the posture of the case is we're assuming a case of liability, and so the question becomes whether the plan as submitted by the state defendants passes constitutional muster or in any respects is invalid.

We're going to have counsel for the parties identify themselves for the record momentarily. How we believe we should proceed is somewhat like the following: The state defendants, if you can have one spokesperson, but we won't restrict you to that, if you can get together and do that, and we'll hear from the United States Department of Justice and [6] any of the other state defendants, and then we'll hear objections to the plan from anybody who feels that the solution proposed is unconstitutional.

Can we have — we'll start with the defendants. Who is here to represent the defendants? Just announce for the record.

MR. HILL: Your Honor, my name is Ben Hill, from the law firm of Hill, Ward & Henderson, representing the Florida Senate. With me is Charlene Honeywell, an attorney with our firm, Steve Zack, who is co-counsel. And we have the president of the Florida Senate, Senator Scott, here.

MR. CURINGTON: Your Honor, I'm Gerry Curington. I have with me Elaine New, and represent the Florida House of Representatives.

MR. COX: Your Honor, I'm Todd Cox. And I represent the Smith intervenors, who are defendant intervenors in the case.

JUDGE TJOFLAT: The Smith intervenors?

MR. COX: Right, defending District 21.

MR. MULROY: Your Honor, Steve Mulroy for the United States.

MR. MCDUFF: Your Honor, Robert McDuff for defendant intervenor James T. Hargrett, Jr.

MR. BELL: Your Honor, Donald Bell, Department of State, for Secretary of State Sandra Mortha[m].

[7] MR. WAAS: Your Honor, George Waas with the Florida Attorney General's office here on behalf of the State of Florida.

MR. LANDIS: Your Honor, Jim Landis with Foley & Lardner and Terry Gillis Tucker with Foley & Lardner for the plaintiffs except Mr. Lawyer.

JUDGE TJOFLAT: For the plaintiffs except for the plaintiff Lawyer?

MR. LANDIS: Yes.

MR. LAWYER: May it please the court, I'm Martin Lawyer representing myself pro se as a plaintiff in this case.

JUDGE TJOFLAT: All right. Are there any objectors who wish to be heard here, and, if so, are you represented?

MR. BROWN: Yes, Your Honor. My name is Mark Brown. I'm representing Senator Helen Gordon Davis. And we would like to object to the plan.

JUDGE TJOFLAT: Okay. Representing Helen Gordon Davis?

MR. BROWN: Yes, sir.

JUDGE TJOFLAT: All right. Anybody else?

(No response.)

JUDGE TJOFLAT: Do we need to just have a brief recess while we're here in court to decide who will speak for the state defendants, or have you all already agreed on that?

MR. HILL: Your Honor, I think we're in agreement, [8] with the latitude that you gave us that in the event that someone else has something to say —

JUDGE TJOFLAT: Surely.

MR. HILL: — they may speak, but I think I have been designated for the state defendants and Mr. Mulroy for the Department of Justice.

JUDGE TJOFLAT: All right. Why don't you go ahead, then, and sort of summarize how the — in a little more detail than what I have already announced, as to the progression of the development of the plan.

MR. HILL: If it —

JUDGE TJOFLAT: And then present the plan itself.

MR. HILL: May it please the court, on behalf of the state defendants, we wish to bring to the court's attention that after a lawsuit was filed by certain plaintiffs attacking the constitutionality of District 21, Senate District 21, which is one of the districts in the Tampa Bay area, the court encouraged, if not directed, the parties to mediation. The parties in the lawsuit, including all of the intervenors, participated in mediation. Mediation was declared to be at an impasse when there was no agreement among all of the defendant parties as well as all of the plaintiffs.

Following the declaration of an impasse in mediation, the parties resumed their conversations and negotiations. And we are pleased to advise that as of November 2, 1995, all the [9] parties, with the exception of Martin Lawyer, including all of the intervenors, have signed onto a settlement agreement.

Now, if I can, Your Honor, the settlement agreement has been presented to the court. And the settlement agreement has been accompanied by a series of documents which describe in some detail the settlement. All of that has been filed with the court, together with

several declaring statements or declarations that outline what it is that the settlement agreement attempts to do.

JUDGE TJOFLAT: My understanding is that has been a matter of public record since the 2nd of November?

MR. HILL: Your Honor, the settlement agreement was made public record on November 2 at the direction of Judge Merryday. At a hearing that we had I believe on that same date Judge Merryday directed that we give public notice of the terms of the settlement agreement. And, indeed, the procedure that we followed from that point on was that we filed the settlement agreement, together with all of the statistical backup data, in this courthouse at the clerk's office. We filed extra copies of the settlement agreement so that they would be available for the public to review. And then we published the settlement agreement and gave notice to the public in general that this hearing today, on November 20, was going to take place, at which time any member of the public would have an opportunity to appear.

[10] And at this time, Your Honor, we would like to file with the court, with the court's permission, file a certificate representing the papers in which the notice was published and the number of times that the notice was published.

JUDGE TJOFLAT: Any objection? Hearing none, it will be filed.

MR. HILL: I have two copies if you would like — here is a third one.

As you can see, Your Honor, the publication appeared in 13 newspapers. They were newspapers of general jurisdiction throughout this district, extending all of the way down to Okeechobee — that is, I say this district, but all of the districts that were involved. The district that is under attack here is District 21, but because of the settlement agreement affecting contiguous districts, publication was made in the newspapers of general circulation, Hispanic newspapers, African-American newspapers throughout the district. They were published on two separate occasions. And the notice was almost precisely as it was contained in the settlement agreement, that is a notice of what it was about, and gave opportunity to the public to be present.

Now, Your Honor, I think it's important to point out that in the settlement agreement, as Your Honor has already observed, that the Florida House and the Florida Senate, [11] although they are not in session, have signed off on the settlement agreement. We believe that is an important feature of the settlement agreement that should be considered by the court, and that is that the President of the Senate and the Speaker of the House have both signed off on the settlement agreement.

You will note that in the documents that have been filed with the court there is an affidavit — a declaration from the Speaker of the House declaring that the Speaker has indeed signed off on it, indeed, his attorneys have signed the settlement agreement. And we represent to the court on the behalf of the Florida Senate that the President of the Senate has the authority to sign the settlement agreement and in fact has authorized me to sign, and I have done that.

Now, Your Honor, when we addressed the entire question of District 21 and whatever changes needed to be made, it was the position of the defendants that we don't believe that District 21, as it is currently drawn, violates any type of constitutional principles. However, for the purpose of settlement, all of the parties have agreed for the purpose of settlement only that based upon the evidence record there is a reasonable factual and legal basis for the plaintiffs' claim.

Now, recognizing that there is a —

JUDGE TJOFLAT: And at this posture you don't [12] anticipate contesting that factual basis?

MR. HILL: We would only contest it, Your Honor, if the settlement agreement —

JUDGE TJOFLAT: I understand. Assuming that the court finds no constitutional infirmity in proposed plan 386, my understanding is the defendants would not contest the factual predicate underpinning the constitutional violation alleged by the plaintiffs?

MR. HILL: All of the defendants have agreed, Your Honor, that there is a reasonable factual and legal basis for the advancement of this claim.

JUDGE TJOFLAT: But what I meant was, assuming the finding of no constitutional infirmity in plan 386 so that it could be implemented —

MR. HILL: Yes, sir.

JUDGE TJOFLAT: — you wouldn't — you do not propose to contest the factual underpinnings to the constitutional violation?

MR. HILL: That's correct, sir.

We then set upon what should be done with District 21 and the surrounding districts. We were constrained by the principles that we understand to be in existence at the time, primarily dealing with compactness, contiguity and one person/one vote. So as we decided on how we could reconfigure District 21, necessarily there was a ripple effect that [13] affected the surrounding districts.

The general principle that we used was that we did not want to disturb the voters any more than they had to be disturbed in all of the surrounding districts to come up with a plan that we believe passes constitutional muster.

We believe, and we're prepared to put on testimony from John Guthrie, who was the person that helped draw this plan, that the district — that the plan 386, the settlement plan, is one that meets all of the constitutional guidelines for a constitutional district and a constitutional district plan in this area.

JUDGE TJOFLAT: Go ahead.

MR. HILL: All right. Now, with respect to those issues, Your Honor, we have filed a declaration from Mr. Guthrie, that he would be pleased to explain to the court, if that is necessary, that sets forth the elements of plan 386, which is the settlement plan.

Mr. Guthrie is the person at the Florida Senate who is charged with the responsibility of drawing plans. And he is familiar with all of the demographics that go into the presentation and creation of a voting district and voting districts.

To begin with, Your Honor, plan 386 makes Senate District 21 substantially more compact than it was. Indeed, when District 21 is examined in the face of — and compared to [14] other districts in the

state, it is readily seen that District 21 is as compact as most of the districts in the state.

Insofar as the adjustment that was made to District 21, the outer boundary of District 21 in plan 386 is only 42 percent as long as the district's boundary in the current plan. So, in essence, the current District 21 has been reduced by 58 percent in size, meeting a compactness standard, we believe.

The most distant points in the district is reduced by 37 percent to less than 50 miles. And only 15 of the 40 Senate districts in Florida cover less distance end to end. So, as you can see, Your Honor, based upon a compactness standard, we believe that District 21, which is the district in issue, has been reconfigured to accomplish and meet compactness standards.

Now, Your Honor, I believe you all have maps, but we have maps if it would help to put them up to demonstrate to you exactly what has been done.

JUDGE TJOFLAT: Well, because we have spectators and others who — at least two objecting parties, why don't you put —

MR. HILL: All right, sir. Would it be convenient to put them right here maybe?

JUDGE TJOFLAT: Sure. We have maps on the bench, so maybe if you could put them up so that those in the audience [15] and the parties can see them.

MR. HILL: If I can, Your Honor, and I don't know if this high technology here is going to work, but assuming that it works, the plan on the left here to which I am pointing, the yellow is District 21 under the settlement agreement. The plan to its right is District 21 as it was contained under plan 330.

I think a quick review of plan 386 as it is contained in the settlement agreement will demonstrate that it is compact, far more compact than plan 330. So we believe, Your Honor, that plan 386 meets the compactness test.

Now, in addition to that, Your Honor, I think it is helpful if we could show the court a map of the Senate districts —

JUDGE TJOFLAT: By the way, the first two maps, are they — we ought to identify them for the record.

MR. HILL: All right, sir. The first map is labeled plan 386 settlement agreement —

JUDGE TJOFLAT: That's already in the record, it is just a blowup of what is in the record?

MR. HILL: It is a blowup of what's in the record.

JUDGE TJOFLAT: And likewise the second map?

MR. HILL: Plan 330, current Senate districts, is also in the record. And it is a blowup of what is in the record.

[16] JUDGE TJOFLAT: The third one you put up —

MR. HILL: Is plan 386. It is the state configuration of all Senate districts —

JUDGE TJOFLAT: Is that in the record?

MR. HILL: And that is in your record as well. This is just a blowup of that.

The point and the reason why I'm putting up plan 386 insofar as it affects the entire state is to demonstrate to Your Honor that when Senate districts are examined that you will see that the Senate district that is here, the yellow district, which is 21, is consistent with the other districts as they exist throughout the state.

So that when one looks at the map and considers the principle of compactness and considers Florida traditional districting principles, one would conclude, I believe, and we urge the court to conclude, that that district is consistent with the other Senate districts in the state.

Now, insofar as districting principles are concerned, we have another map, Your Honor, that has the current House districts, and I guess I'm running out of easels, but for the — I can — there's another one that I can borrow. We have a blowup of the current House districts in the State of Florida, which also is part of the record, but this is just a blowup.

And you can see from the shape of the House districts that, similarly, these districts are shaped in an irregular [17] form, if you

will. They are certainly not square and they are not at right angles. But they are compact. And this is the type of districting that Florida traditionally follows. This is consistent with the practice of Florida.

And again I refer Your Honor back to the settlement agreement wherein I have already stated that the Florida House and the Florida Senate have agreed to this plan. And they have agreed to it in part because it is a plan that is consistent with all of the other districts and the districting plans in Florida.

Now, Your Honor, in addition to the compactness, we would urge the court to also consider the fact that district plan 386, the settlement agreement plan, satisfies the one person/one vote requirement imposed by the Florida Constitution — or the United States Constitution.

Indeed, Your Honor, the State of Florida in its 1990 census had 12,937,926 people. There are 40 districts. If you divide that number by 40, you arrive at the result of 323,448 people per district. In the settlement proposal, Your Honor, Senate District 22, which is over in Pinellas County, includes part of Pinellas County, Senate District 22 has the most — the most people in that district with 327,422 people. That's a deviation of 1.2 percent, which is well within the accepted norms insofar as deviations on one person/one vote. Senate District 21 ends up with 322 thousand — excuse me, Senate [18] District 1 has 322,018 people, and that's the least populace district in the State of Florida.

Senate district 386, which is the district in question, ends up with approximately 324,000 people. The exact numbers are in the record that is before you. But it clearly comes within the principles of one person/one vote under all standards under Florida law.

All right, sir. In addition to the principles of one person/one vote and compactness, this district also took into consideration — that is the settlement agreement took into consideration Florida's Constitution contiguity requirement. And in that respect Florida has long followed a practice, and indeed we believe that it is constitutional, that the districts in Florida not be separated by a space of any type at all. Indeed, they need to be contiguous.

Senate District 21 as it is contained in the settlement district is contiguous, in accordance with Florida law. One might ask the question: Is it contiguous if it spans a body of water? And the Florida Supreme Court has addressed that very proposition and has determined that because Florida has so much water, that any district that is on each side of a body of water, rivers, lakes, bays, etcetera, is a contiguous district.

So the three important principles that we think need to be met with respect to the settlement agreement is that it [19] meets the compactness test, it meets the one person/one vote test, and it is a contiguous district.

Incidentally, Your Honor, in moving the other districts around, and you'll note that like Senate District 22, now Senate District 23, which is in brown on the blowups, had to be reconfigured to take into consideration the adjustment of population. But all of the districts that remain that are under the settlement agreement outside of District 21 also meet the one person/one vote requirement, they meet the compactness test and they also meet the test of being contiguous. So all of the districts that are involved meet that.

And, for the record, Your Honor, I want to point out that District 21 — under the one person/one vote rule, District 21 has 323,432 people, which is squarely on point with the one person/one vote under the Florida constitutional requirement.

Now, Your Honor, one of the important things that the state was concerned about in reaching a settlement plan was not to disrupt the voting people in this state, that is the voting people in this area. And the reason for that is I think highlighted very well in the Secretary of State's affidavit and the affidavit from Mike Cochran, who is the attorney — the person officially charged by the Secretary of State to give election opinions.

[20] One of the concerns that existed back in 1992 when this districting process occurred was that changes were made and people simply did not have enough time to know exactly what district they were in before they were called upon to go to the polls. So we, when we considered the settlement agreement, we considered that we did not want at all, all of the parties agreed, to disrupt any more people than needed to be disrupted. The people have adjusted to whom their

representatives are, they have adjusted to where they live and what districts they are in, they have adjusted to the voting places. And it was our objective that when we moved district lines around that we wanted to minimize the number of people that were disrupted.

Now, we also have a situation in Florida where we have even-numbered and odd-numbered districts. And the even-numbered districts stand for election at different times than the odd-numbered. The even-numbered districts are up for election in 1996 — the odd-numbered districts are up for election in 1998. The even-numbered districts are not up for election until 1998.

One of the objectives that we had was to put — if we had to move people to accomplish a settlement and meet all of the other constitutional guidelines, one of the objectives that we had was to minimize the number of people that would be shifted into or out of an even-numbered district, because [21] those districts are not up for election until 1998. We were successful, Your Honor, in shifting people primarily among the odd-numbered districts.

So most of the people that are affected by this settlement plan, in the magnitude of almost 99 and a fraction percent of the people affected by this settlement plan, are either going to remain in the district in which they are currently located or they are going to be moved into an odd-numbered district and they will have an opportunity to vote for their senator in 1996 in the ordinary course of events following the regular electoral process in the State of Florida.

The only district, Your Honor, that consists of an adjustment of people, an even-numbered district that we believe that the laws supports us that there doesn't have to be an election, is District Number 22. And in District Number 22 — there are less than 3,225 people that are involved in District Number 22 insofar as a shift of population. Now, with respect to that number of people, Your Honor, that is less than one percent of the total number of people in District 22. So we would assert to the court, and we have agreed for settlement purposes, that that's a de minimis effect upon that district.

We would also observe that in District 22, that in the ordinary course of events, every two months — and this is [22] before Your Honor in the materials that we have filed — that essentially every two months more than 3,000 people move in and out of that district

without regard to district lines or elections or whatever. The natural change in population involves a change of 3,000 or so people every two months.

We would urge the court, and our settlement agreement contemplates, that District 22 be accepted as part of this settlement agreement without the requirement that District 22 undergo elections in 1996 and that we wait until 1998. It is a de minimis effect upon the district. And insofar as the remainder of the districts are concerned, it is a de minimis effect on the remainder of the districts.

Indeed, Your Honor, under this plan only 8 percent of the people in the entire almost three million people in this area are affected. And most of those people are moved — when they are affected are moved into an area in which they will have an opportunity to vote in November of 1996.

So one of the objectives, again, Your Honor, was to produce a settlement agreement that would result in a minimum disruption to the voters of this state. And we believe — the parties all believe that we have been able to accomplish that.

Now, getting to the politics of the plan, we would only point out that plan 386 preserves the current political balance of the current Senate districts. So if there was any gain made by Democrats, it was offset by gains made by [23] Republicans. And District Number 23, which is on the blowup in brown, District Number 23 essentially remains, and it is a district that has been affected, and it could be arguably a swing district for Republicans and Democrats, it has remained what we have chosen to describe as politically neutral. That is, it is the same position for Republican and Democrat compared to what it was in plan number 330, which is the current plan.

With respect to the other features of the plan, one of the things that we took into consideration as we were preparing a settlement agreement was to make certain, again now focusing on District 21, is to make certain that there is a community of interest, a commonality of interest among the people in this district.

And we have before you, Your Honor, the demographics of Senate District Number 21, which we believe establishes very clearly that the people in District 21 are generally of a lower socioeconomic

status compared to other districts in the state, all of which have — or the majority of which have a commonality of interest with each other.

We have information that has been filed with the court that demonstrates that insofar as District 21 is concerned, as an example, they are all in the same juvenile justice program of the State of Florida, they are the same district, the same HRS district, they have a commonality of [24] interest of the ports of the Tampa Bay area, they have a commonality of interest of people that traditionally look to each other for support in the legislative arena.

We believe, Your Honor, that we have established a district, and certainly all of the people that are involved in the preparation of this plan, that we have established a district that is supported in the literature that's before you that demonstrates that the commonality of interest of the people in this area have been maintained and that they all appropriately will have a representative to look to that will take care of their interests.

One of the other things that we were concerned about, Your Honor, is from the plaintiffs' perspective one of the plaintiffs' complaints was in this lawsuit — that initiated this lawsuit was that the way that the District 21 lines were drawn in plan 330, the current plan, that it separated neighborhoods and people in neighborhoods in which there was a commonality of interest of people. One specific complaint was that the line went down the middle of the street, so people on one side of the street versus people on the other side of the street were in different districts and they were friends with one another.

We have done — with the plaintiffs' help, we have tried to consolidate as best we can, keeping in mind the other considerations, one person/one vote, minimum disruption and [25] all of the other things that we have laid out for the court. We have tried to reconstruct and agree to a settlement district that indeed includes neighborhoods, specifically the neighborhoods that the plaintiffs live in and specifically the neighborhoods that the plaintiffs had the greatest concerns about. Those districts — those neighborhoods are now all together in District 21.

Another factor that we were concerned about, Your Honor, and we have to stress that it is another factor, is we wanted to be sure that District 21 ended up being a district in which all persons had a fair opportunity to select a representative, all persons have a fair opportunity to select a representative.

And in that respect, Your Honor, the district is pretty well divided almost evenly total population-wise, minority versus majority, if you will, of the people in this area. So that you have minorities comprising a little over 50 percent in terms of total population, with the balance of the area — of the population being in the range of around 48 to 49 percent.

Now, with respect to the voting age population, and looking at, again, the objective of trying to ensure that everybody has a chance, the African-American voting age population of District 21 as it appears in the settlement agreement is 36.2 percent, which is clearly not a majority, [26] but it does give an opportunity for African-Americans to have a choice and for those people in that district to have a choice insofar as electing their state senator.

And with that, Your Honor, I believe that we would ask Your Honor to review what we have filed with the court. We have a series of maps, we have a series of plans —

JUDGE TJOFLAT: Just a minute.

(Pause.)

JUDGE TJOFLAT: Mr. Hill, what we have decided to do is we'll deem filed as an evidentiary exhibit the settlement plan and all of the affidavits, the maps and everything that's part and parcel of it, as an overall exhibit in this proceeding.

With respect to Mr. Guthrie, I understand he's here.

MR. HILL: Yes, sir.

JUDGE TJOFLAT: Rather than your putting him on, if anybody would like to examine him, we'll just have him testify.

MR. HILL: He is available to testify if somebody wishes to examine him.

JUDGE TJOFLAT: Everybody has read his affidavit.

MR. HILL: Yes, sir.

JUDGE TJOFLAT: So it is in a sense his direct testimony.

MR. HILL: Yes, sir.

[27] JUDGE TJOFLAT: Go ahead.

MR. HILL: Well, I would just say, in conclusion, Your Honor, that we believe that we have presented a plan to this court, by way of settlement, that is approved by the Florida legislature, that is approved by the Florida Senate, the President of the Florida Senate, and the Speaker of the Florida House, the Attorney General of the State of Florida has signed it, the Secretary of State which is in charge for elections has signed it, it has been signed by all of the intervenors that have expressed an interest in this case.

We believe it is a district that is fair, it is compact, it complies with one person/one vote, it is contiguous, and it is a district that consists of people that have a commonality of interest. We believe it meets the constitutional standards and all tests. And it clearly is in conformance with Florida's redistricting laws and practices. And accordingly, Your Honor, we would respectfully request that the court approve this settlement.

JUDGE TJOFLAT: Would anybody else like to be heard on behalf of the state defendants?

Mr. Mulroy, would you like to say something on behalf of the Department of Justice?

MR. MULROY: Thank you, Judge. Just one brief comment. I would like to join in Mr. Hill's comments on behalf of the United States. I would also like to add just by [28] way of clarification that it has been the position of the Florida Senate, the United States and several of the other defendant parties in this case consistently throughout this case that compactness is not in fact a traditional redistricting principle in Florida. And the reasons why we believe that have been previously argued in our briefs. But I do think that it was important and useful for Mr. Hill to point out that the District 21, plan 386, is so compact. But with that clarification, I would like on behalf of the United States to adopt Mr. Hill's comments.

JUDGE TJOFLAT: Anybody else with the state defendants like to be heard or the intervenors?

MR. COX: Your Honor, briefly, Todd Cox for the Smith intervenors. We also adopt Mr. Hill's comments. And we would just like to say that we believe the plan is fair and equitable. And to the extent that the plaintiffs' concerns have been met and Mr. Lawyer's concerns have been met, as articulated and pled, their concerns with the neighborhoods needed to be unified, that has been obtained.

And we would like to add as point of comparison that although we do agree with the settlement and in consideration with that what some of my clients have sacrificed is no longer being in the district. As you can see by comparing the two maps, the Polk County portion of district 330 is no longer in the district. And that was done in order to achieve a fair [29] and equitable plan and a plan that we believe will provide everyone an opportunity to elect a candidate of choice. We would just put that on the record for the court's consideration. Thank you.

JUDGE TJOFLAT: Mr. Lawyer, I guess it's your turn now.

MR. LAWYER: If it please the court. Well, thank you very much, Your Honor.

As a preliminary matter, I would like to respectfully ask that the court rule on my motion for summary judgment that I filed about two weeks ago. And I believe that I'm entitled to a ruling on that.

JUDGE TJOFLAT: Mr. Lawyer, how we are going to proceed is the way I announced earlier. It makes no difference whether we grant the motion or not. There is a plan here — if we granted your motion, we would be in this precise posture we are in now.

MR. LAWYER: Well, not exactly, Your Honor, because —

JUDGE TJOFLAT: Well, how different —

MR. LAWYER: — then we would be in the posture of giving equal weight —

JUDGE TJOFLAT: No. At our earlier status conference in September we said if we found liability we would charge the legislative branch of the state with the responsibility of [30] coming forth with a plan. So if we went through a trial on the merits and

found liability, they would have been doing, in response to our judgment, in a bifurcated trial, precisely what they have been doing already. And they have now presented a plan as a remedy for the alleged constitutional violations. So —

MR. LAWYER: But, Your Honor — I'm sorry, I didn't mean to interrupt Your Honor.

JUDGE TJOFLAT: I think we understand your position. We have ruled. And now we are ready to hear what your objections are to the constitutionality of this particular plan.

MR. LAWYER: Well, I'm very concerned about that, of course, Your Honor, but also I wanted to point out that the defendants have argued that if their plan is not acceptable, they want to be able to contest the liability aspect of it, and that to me is not —

JUDGE TJOFLAT: Counsel, we understand how cases are to proceed. We have heard your argument. We have your motion. And we now want to hear what you have to say in objection to the plan on constitutional grounds or on Voting Rights Act grounds also.

MR. LAWYER: Well, yes, Your Honor, that's actually the touchstone of my argument on the constitutionality of the settlement plan itself, is that we are not in this court on a [31] Voting Rights Act claim. It is —

JUDGE TJOFLAT: We understand that. But the point I'm making is that when the legislature proposes a redistricting plan, they do so with two things in mind. One is the Fourteenth Amendment and the other is Section 2 of the Voting Rights Act. Do you agree?

MR. LAWYER: Yes, sir. I was merely stating that in order to — I guess I'm not having success at doing this, but I was stating that in a way to emphasize the fact that my claim is based on the equal protection clause —

JUDGE TJOFLAT: We understand that. We understand your case.

MR. LAWYER: — and really the importance of that.

JUDGE TJOFLAT: What we want to do is hear from you as to the constitutional grounds —

MR. LAWYER: Well, thank you.

JUDGE TJOFLAT: — on which you object to this plan.

MR. LAWYER: Well, my grounds are based on the equal protection clause and as it was elucidated in the Miller case. And, you know, just to briefly go through that, is if from looking at the maps and the statistics you determine that there's race-based districting, and I would ask the court to so find, then we have the issue of whether strict scrutiny — then we have a requirement, rather, that strict scrutiny is required as to the plan and it has to show that there has been [32] — that a remedial effort is necessary in order to accomplish the result that is intended.

I would like to make a couple of points on that. And, first of all, the main one is that if we're to look for intent as to what factors were used in coming up with this plan, the best evidence of that is the people seated in this courtroom other than Mr. Guthrie. What Mr. Guthrie or those declarations or the affidavits are is really secondary evidence upon which the players, if you will, relied upon to make their decision.

And the ultimate question is why did the proponents of this plan go beyond the central part of it, or you could take any one of the three central parts — and if I may proceed to the map, I suppose the main central part would be up here in Hillsborough County to this central part down here and up to that one. That can only be answered by the people in this courtroom, Mr. Mulroy, Mr. Landis or Ms. Tucker on behalf of the plaintiffs, the representatives of the Florida House and Senate, and Senator Hargrett.

And in this regard the court is in a unique position. You don't have to look at legislative history and try to divine their intent. You can ask them. If you ask Mr. Mulroy why do you want to leave Hillsborough County when you can choose two districts entirely within Hillsborough County and pick up these other voters, he uses the term — the Justice [33] Department uses the term viability. It is even in the declaration of his expert.

In other words, the percentage — the black percentage, according to the Justice Department, has to exceed a certain amount in order for the district to be viable. Well, if we were in a place like Memphis where it is 37.8 percent or 37.3 percent black or in the state of Georgia where it is 27 percent black, there might be some

justification for that. But in our three-county area the black percentage is only 8 percent. It is only 10.9 percent in Hillsborough County. And the Hispanic percentage is actually higher than that, of the voting age percentages.

While I'm on the subject of percentages, Your Honor, there are certain statistics — and it isn't, say, the fault of either party, but there are certain statistics that were broken down by party and race and so on. I would ask Your Honors to look very closely at that because Hispanics are excluded from all of the registered voter statistics. So I would direct your attention to the voting age population statistics for anybody's plans to see where the figures really break out.

Now, the second point that I would make is, and this to me is very clear from the Miller case, is that the proponents of this plan cannot hide behind the shield of state districting practices if they conflict with the Constitution. [34] The state may say — the State of Florida may say, even the Florida Supreme Court may say, that you can cross the body of water or proceed in this manner, but if you look — I would direct the court's attention to appendix B to the Miller case and the language of Justice Kennedy in citing to that as to narrow land bridges — appendix B to the Supreme Court's opinion has population densities within that congressional district in Georgia. And, by the way, as I understand, another three-judge court has held unconstitutional yet another congressional district in the state of Georgia.

But, in any event, what we would have here is under that standard we have — I don't know if the audience can see this, but the court certainly should be aware that this is water in here. There's — I mean, nobody lives there.

JUDGE TJOFLAT: We understand that. There are no houseboats in the record.

MR. LAWYER: You have gone that way to get in — and even down into the Manatee County, they've split the community of Ruskin — there are only three incorporated areas in Hillsborough County, Tampa, Plant City and Temple Terrace, but there are some communities. They have split these communities and gone across the Manatee River down here to go into Bradenton.

And if there was more of an element of compactness within the region — and, by the way, I haven't cited this [35] yet, but the Rural West Tennessee case, the three-judge court referred to the De Grandy standard of regional analysis in the text of — that was a Voting Rights Act case, but to the extent that that is relevant, I would direct the court to that standard; rather than say statewide, you look at the region.

Well, if you look at that, in itself if it were compact, that might be okay. But you still come back to the question of why did they go down to that area to get those voters? Why did they leave one county? Or perhaps you could have started with Manatee — I happen to live in Hillsborough County, so for my constitutional rights I think I have to talk about Hillsborough County, but it could equally be said why didn't you start in Pinellas County or why didn't you start in Manatee County and expand out from there? What type of voters were you looking for?

And unfortunately, and it really pains me to say this from living in an integrated neighborhood in Tampa and being an integrationist all of my life, is that they were looking for racial considerations. They were looking to get black voters wherever they could find them and however they could connect them. And it is so obvious from the statistics.

I filed in my motion to object to this, and I hope — I prepared three copies for each of Your Honors, I hope that you will look carefully at those statistics, because it is so obvious that the reason that the proponents of this plan have [36] gone into those counties, have followed the path that they have, was to pick up black voters.

There are three ways to look at it: Either the multiplication from eight percent in the region of black voters to 36 percent in the district, which is kindly put unnatural; or, secondly, the jumping of the statistics within each county, where Hillsborough County goes from 10.9 percent to something like 35 percent — let me quote that accurately, because I don't want to mislead the court.

While I'm finding these statistics, Your Honor, Hillsborough County — it goes from ten — it is a roughly three time — three — multiplication factor of three, 280 percent increase within Hillsborough County. Where the black population within

Hillsborough County as a whole is 10.9 percent, within the Hillsborough portions of this district is 30.5 percent, 280 percent increase.

The worst one is Pinellas County, where countywide, Pinellas County, is only 6.1 percent black, and yet within the district it is 58.5 percent. It comes from the defendants' own figures. And in Manatee it is almost as bad. It goes from 5.9 percent black countywide to 32 percent. So we have in Manatee County a 542 percent increase, in Pinellas County a 959 percent increase in the percentage of black voters within the district.

This didn't happen unnaturally, Judges, Your Honors. [37] This happened because, for whatever reason, and it may be commendable in parlor discussions, but for the legal purposes of the equal protection clause it is just not permissible to be looking for black voters in that way any more than it would be permissible to look for white voters in the other districts.

And then in the third way of looking at these statistics you find that the proponents of this settlement plan went out of their way to get as many black voters in each county as possible. And just without laboring the point, Manatee County is just unbelievable. There are only something like a little over 10,000 black voters in the whole county, 10,094 voting age population in the whole county, and this settlement plan puts 7553 of them in this district. I mean maybe they could have searched a little harder and got some more, I guess.

But it is so obvious from these figures that they intentionally have gone to get black voters. And that just — as I said, we might agree outside the legal context that this would be a nice thing to do or a good idea, but in the legal context, and especially as the Miller court clarified the constitutional standards, this just is not permissive.

If the intent of the proponents of this plan is for some other thing, some other reason, then they are free to stand up and tell us about it. We have the counsel for the [38] House and the Senate here. We have the other plaintiffs. We have Mr. Mulroy. But it was obvious from his statements to me that were not confidential, obviously I don't represent him, he doesn't represent me, that my plan, for example, and I'm not wedded to my plan, was unacceptable because there weren't enough black people in it, the percentage just

wasn't high enough. He said that in front of a number of people. If he wants to retract that on behalf of the Justice Department, that's fine. But that's what he had said. And it would be hard to deny it from the way that the figures play out here.

So, if we have — if there has been race-based districting there for whatever purposes — and I'm not going to criticize the personality of any person in this courtroom, I think we are all here of good intent, but if race-based districting was used, then there must be a showing that there's a remedial requirement to remedy some kind of past defect. And, now, there hasn't been any showing. Whether there could be, I don't know.

I moved to Florida — well, I moved to Florida in 1961, but after law school I came here in 1970, the Voting Rights Act was in full force and effect then. The reason that we're under preclearance is because of a Hispanic population in our area, not because of discrimination against blacks. But I'm certainly open to proof on that. But there hasn't been any proof in that regard.

[39] So I would ask the court respectfully to find that this is race-based districting and that it is of a kind that is not permitted under our Constitution, as outlined by the Supreme Court in the Miller case. And, again, the — let me just give the citation to that Rural West Tennessee case, because I was informed that it was actually affirmed by the U.S. Supreme Court, although I have not seen the cite yet. It would have happened — been published in what comes out this week. The citation to that is 877 Federal Supplement 1096. It was a unanimous three-judge court, headed by Judge Merritt, who happened to be my professor at Vanderbilt, by the way, when I was there.

So — and I would like to quote from that opinion and from a couple — from just a few points, without again laboring the point here, but just to put this in the proper frame of reference. In the Rural West Tennessee case there, that was a Voting Rights Act case, it was not an equal protection case, and the Justice Department was not involved in that case, it was the state essentially prevailed on their plan, and it involved so-called influence districts, but what the court there quoted with approval that part of the De Grandy decision that said but minority voters are not immune from the obligation to pull,

haul and trade to find common political ground, the virtue of which is not to be slighted in applying a statute meant to hasten the waning of [40] racism in American politics.

And then Judge Merritt went on to say: When minority voters can influence elections, they have the opportunity to pull, haul and trade to find common political ground. When such an opportunity exists, they are obliged to use it.

And that would be applying what I would regard as nonrace-based characteristics in devising a district. So that, for example, in Hillsborough County if the population is 10.9 percent black and my district, because it is more inner city, results in a 22 percent — really 23 percent black population, and then combined with the Hispanic population exceeds 40 percent, that that is the opportunity for white and black people and Hispanics of both races to push, pull and achieve political objectives together, not to polarize —

JUDGE MERRYDAY: Mr. Lawyer, do you have some view that there is an affirmative constitutional obligation on behalf of — or invested in the legislature to, if it identifies a naturally-occurring conglomeration of minority citizens, to divide them up into several different districts so that they are somehow symmetrically distributed among available legislative representatives? And if so, what's the source of that obligation?

MR. LAWYER: Absolutely not, Your Honor. That is not what has happened here. You've gone — you've tried to integrate three separate communities, a community in Pinellas [41] County, a community in Manatee County and a community in Hillsborough County. The example of what you're saying, and I think I agree with you —

JUDGE MERRYDAY: I didn't make a statement. I asked a question. Is there a constitutional obligation to sever an otherwise naturally-occurring community?

MR. LAWYER: No, Your Honor, but the implication —

JUDGE MERRYDAY: If there is a naturally-occurring community and it is ethnically identifiable, and if you — is it per se unconstitutional for the legislature to build a district around it that is otherwise

compact, contiguous and in accordance with historical principles of districting? Isn't that what you should be talking about?

MR. LAWYER: Well, Your Honor, that's a compound question.

JUDGE TJOFLAT: Yes, it is. But you can object to the question, I'll overrule your objection.

MR. LAWYER: So let me say again, from the back front, because that's what I can remember, is that the traditional districting principles, as I started to say at the beginning of my argument, have to be those of the Supreme Court — our U.S. Constitutional elucidated districting principles, if there was a conflict with — and I believe there is, from the way Mr. Hill outlined it, and actually looking at the Florida Constitution, the Florida Constitution [42] allows overlapping districts, it allows multi-member districts. That's one — those are two of the state constitutional principles. And they are —

JUDGE MERRYDAY: Well, luckily we're not dealing with those this morning.

MR. LAWYER: Well, to answer your question, because, Your Honor, your question implies that that's what has happened — or that's what I would promote. But what we have here — the answer to your question would be is within the black community that has a degree of compactness around where I live, including — that's what happened when this district was created in the first place. I live on one side of River Grove Drive and the other plaintiffs live on the other side. They split my community. That would happen if you split it right down the middle now. That's why in my plan, which is not before the court at this point —

JUDGE TJOFLAT: That's right. Your plan is not before the court — your plan is only before the court to the extent that it is an objection on constitutional grounds to the plan that the defendants present.

MR. LAWYER: Right. Well, what I'm suggesting is there is no even black community that goes this way. People tend to live here, there, or there.

JUDGE MERRYDAY: Well, everybody has to live somewhere.

[43] MR. LAWYER: But what has happened is black folks have to have concentrated in those areas voluntarily, I presume, unless —

JUDGE MERRYDAY: Well, and there happens to be a naturally-occurring geographical barrier known as Tampa Bay in the midst of it. And it has to be districted around, doesn't it?

MR. LAWYER: Not necessarily. That was the point as to the — as to if you take — and I could only, I think, legally be concerned about where I live, but Hillsborough County has enough voters and for those purposes — or has enough people to have two districts, Pinellas County —

JUDGE TJOFLAT: Mr. Lawyer, you misapprehend your objection. You may live in Hillsborough County, but you are objecting to a remedy that implicates far more than Hillsborough County. Do you follow me?

MR. LAWYER: Yes, sir.

JUDGE TJOFLAT: And so I would suggest that you can't isolate yourself and put yourself in a cocoon in Hillsborough County and restrict your argument to that, although you may want to do that. I mean, that's what you're doing.

MR. LAWYER: What I'm saying is you could create a district and should create a district of a community of interest — you can create two such districts —

JUDGE TJOFLAT: You mean the legislature should.

[44] MR. LAWYER: Right.

JUDGE MERRYDAY: We're not creating any district.

MR. LAWYER: Right. They can be created, presumably by the legislature, but if as in the Miller case the legislature refuses to act, then, you know, someone has to create the remedy.

JUDGE TJOFLAT: Well, we are not at that point.

MR. LAWYER: Hopefully. Right. But I don't know whether I have addressed Judge Merryday's concern —

JUDGE TJOFLAT: You were arguing a quotation from De Grandy, which is what prompted Judge Merryday's question, which in passing the Supreme Court, Justice Souter, I believe, was talking

about the requirement — let's put it the hope that the various constituent members of a legislative district would communicate with one another toward reaching a compromise of interest. That's why he asked whether or not you are advocating that the districts somehow be composed of a certain percentage of this ethnic or racial group and a certain percentage of another and a certain percentage of the third.

MR. LAWYER: Well, of course. But what Justice Kennedy made very clear is that racial-based districting should not prevail. And what I am trying to do, perhaps ineffectively, is to point out the similarities between this plan and the plan that was rejected in Miller. And I think I [45] can do that with the map, as I said, with appendix B. If you look at the areas, the characterization of it, early on in that opinion — I just have the Lawyers' Edition cite to it, but it is at page 774, Justice Kennedy referred there to the fact that there were four discrete widely-spaced urban centers, all — and the dense population centers were all black. You have that here with three centers. You did before with four centers. And they are connected, especially to get to Pinellas, by a narrow water bridge. And in the Georgia case, it was the land bridges, not just water bridges, but land bridges were condemned.

Just to get back to the Miller case, and this is the heart of my claim and my objection to this, it says that at the heart of the Constitution's guarantee of equal protection lies the simple command that the government must treat citizens as individuals, not as simply components of racial, religious, sexual or national class. When a state assigns voters on the basis of race, it engages in the offensive and demeaning assumption that voters of a particular race, because of their race, will prefer the same candidates and vote alike.

Quoted the Shaw opinion: Racial gerrymandering, even for remedial purposes, may Vulcanize us into competing racial factions. And you can almost see it here in this courtroom, Your Honor, with apparently many in the black community feel that they are entitled somehow to a black representative, [46] there may be white people who support me, I am not of this view, but that somehow white people are entitled to representatives.

You could look at the districts that surround — if you look at the settlement plan, the districts that surround us, they are bleached.

There's an extremely low percentage of black people in those districts. So perhaps the proponents — or there would be supporters of the proponents that would argue that they are entitled to white districts.

My argument is that racial considerations cannot be totally eliminated, but that should not be the overriding factor. And, as I said before, that appears to be. It was stated to me by the representative of the Justice Department was the overriding factor, or to put it another way subordinated —

JUDGE TJOFLAT: I don't know why you continue to refer to the representative of the Justice Department. The Justice Department simply received — you sued the Justice Department in this case.

MR. LAWYER: That's right.

JUDGE TJOFLAT: The Justice Department is not the body that created the district in the first place. The body that created the district in the first place was the Florida legislature. And it is the Florida legislature which has submitted a plan to the Justice Department for preclearance. [47] That doesn't solve the constitutional question.

MR. LAWYER: Well, in any event, Your Honor — I'm sorry, I didn't —

JUDGE TJOFLAT: No, I understand. I'm just observing that you continue to focus on the Department of Justice as opposed to the Florida legislature.

MR. LAWYER: Well, I certainly will depart from that point.

JUDGE MERRYDAY: Well, the reason he is saying that to you is you still are not responding, I think, to the question that I have asked you at least twice before, Mr. Lawyer, and I don't mean to pick on you at all, but the — there are an inconceivably large number of constitutionally proper districts. And presumably we could come up with an inconceivably large number of racially gerrymandered or otherwise impermissibly gerrymandered districts. So the issue is not whether you or I or Judge Tjoflat or a casual onlooker happens to prefer the shape of any particular district. The issue, is it not — question — is whether the one that is before us is constitutional?

MR. LAWYER: Yes, Your Honor.

JUDGE MERRYDAY: And if it is the case that the legislature has no affirmative obligation to bisect or trisect or the like an otherwise naturally-existing community, what is the objection to the constitutionality, in plain language, of [48] 386 that you lodge with us this morning?

MR. LAWYER: Your Honor, I start again. This plan, I contend, is unconstitutional because it is the product of race-based districting. I don't know how I can make it any more plain than that. I explained that by the use of statistics, by looking at the map. These are the same standards that the Supreme Court used in judging the constitutionality —

JUDGE MERRYDAY: So your litigation position is to equate the statistical composition with the prima facie showing of race-based districting?

MR. LAWYER: Yes. And I'm saying that if there is any doubt about the intent to come up — to use these particular geographical areas with these particular statistics, that can be absolved by not just the Justice Department's representative, but representatives —

JUDGE TJOFLAT: You are free to put on any evidence that you have that race was the deciding factor in the fashioning of plan 386 as opposed to the totality of circumstances that Mr. Hill articulated in his presentation.

MR. LAWYER: Well, I would be happy to do that, Your Honor. I would be happy to just go down the line here —

JUDGE TJOFLAT: The question isn't whether you would be happy, Mr. Lawyer. The question is what would you like — we have heard your argument and we are fully familiar with the [49] Constitution and we were familiar with all of the cases you have cited and we have heard what you have said about the plan and we're familiar with the record, what would you like —

MR. LAWYER: Well, I would like to have the court direct that the parties represented here answer the question about —

JUDGE TJOFLAT: Mr. Hill has summarized, in effect, what is in the record. There are affidavits in the record. If you want to examine Mr. Guthrie, you're free to do so, or call any witness you want.

MR. LAWYER: Well, I would call as witnesses —

JUDGE TJOFLAT: We have heard your testimony in the form of argument.

MR. LAWYER: — each of the attorneys for each of the parties here and ask them — because they are the ones that did the plan, did they not? Are they —

JUDGE TJOFLAT: Well, we weren't present, Mr. Lawyer.

If you have a witness, then we invite you to put a witness on.

MR. LAWYER: I would like to call Mr. Mulroy —

JUDGE TJOFLAT: You want to call the Department of Justice for testimony as to what was in the Florida legislative mind?

MR. LAWYER: Well, Your Honor, they were required to preclear it —

[50] JUDGE TJOFLAT: Counsel, we repeat what was said in September, and apparently you didn't hear it: The fundamental obligation of drawing a redistricting plan, or one in the first place, is laid with the legislative branch of government. Do you understand?

MR. LAWYER: Yes, sir.

JUDGE TJOFLAT: Okay. The legislative branch of government, anticipating — these are my words, do you follow me — perhaps on the issue of liability that if we went to trial that plan 330 would be declared unconstitutional under the equal protection clause, has proposed a plan. The State of Florida submitted it to the Department of Justice for preclearance. That doesn't decide the equal protection claim; do you understand?

MR. LAWYER: Yes, sir.

JUDGE TJOFLAT: They did submit it for preclearance, because it would be kind of unseemly for the court to adopt a plan which the Department of Justice says in effect dilutes minority vote; do you understand?

MR. LAWYER: Yes, sir.

JUDGE TJOFLAT: So what the department is saying by preclearing is that it doesn't violate Section 2. That doesn't answer the equal protection claim.

MR. LAWYER: That's true.

JUDGE TJOFLAT: So by calling Mr. Mulroy to the [51] stand, you are not helping this court one whit, are you?

MR. LAWYER: I suppose not, Your Honor, in those terms.

JUDGE TJOFLAT: Okay.

MR. LAWYER: But it would be —

JUDGE TJOFLAT: You would like Mr. Mulroy to testify, and we're telling you that his testimony would be irrelevant to the point you are making.

MR. LAWYER: I understand your ruling, Your Honor.

JUDGE TJOFLAT: Unless you want to contend that Mr. Mulroy drew this plan himself.

MR. LAWYER: Well, no, Your Honor, but he certainly participated.

JUDGE TJOFLAT: And if he did, then we'll take a recess and maybe you and Mr. Hill need to get together, because he has represented as an officer of the court how the plan was put together, it was shown to the Department of Justice. And we don't want to get in the position of —

MR. LAWYER: Your Honor — all I'm saying, Your Honor, is that the best evidence of what the intent was or if there was no racial intent —

JUDGE TJOFLAT: The argument we hear you making is that the best evidence you have of intent to have race drive 386 is by looking at it.

MR. LAWYER: That, yes, sir —

[52] JUDGE TJOFLAT: Looking at the plan and the community involved.

MR. LAWYER: And if there's any representations, whether it is of counsel, it would be that the best evidence of that would not be testimony from which the legislature relied, but the actual statements of persons representing the legislature.

I think that I have exhausted the points that I want to make, except that — and I don't mean to insult the court, but it is very important to me, when I go to Washington, I look at the U.S. Supreme Court building, and our equal protection clause is paraphrased —

JUDGE TJOFLAT: Counsel, we have taken an oath of office, I have been sitting on the federal bench for 25 years, you don't have to tell me about my responsibility under the Constitution or my two colleagues here.

MR. LAWYER: No, Your Honor. And I apologize, I don't want to be misapprehended in that at all. I attend your lectures, Your Honor, at Florida Bar CLEs, whatever.

I'm just saying the result — what I'm trying to do — apparently I have an ineffective way of starting with a preface and getting to a result of what I'm trying to get my point across —

JUDGE TJOFLAT: I'm telling you for myself what I hear you saying, what I hear you saying is that when you look [53] at 386, as Justice Stewart said one time on a pornography case, I know it when I see it; that's in effect what you are arguing, is it not?

MR. LAWYER: No, there is more to it than that, because there are — in fact, that is not what I'm saying. What I'm saying is there were standards that were set forth in the Miller court, and that these standards are violated in this district, and that the result would be unequal injustice if this plan is adopted.

JUDGE TJOFLAT: We're familiar with the Miller court's decision. All right.

Mr. Brown.

MR. BROWN: May it please the court. My name is Mark Brown. I'm a professor of constitutional law at the Stetson University College of Law over in St. Petersburg. I'm here today on behalf of Helen Gordon Davis, a former senator in the Florida Senate and also a former member of the House of Representatives.

While Senator Davis is not a party to this litigation, yet she is an interested person. And she would like to object to the configuration of the proposed settlement agreement. The basis of the objection

is basically that the configuration violates the equal protection clause.

Our concern, Your Honor, is that traditional districting has given way to racial considerations. Race can [54] be a factor in the districting decision; however, at some point where race becomes the overriding factor, we have an equal protection violation. The violation can only be corrected by a compelling state interest. And at this stage in the proceedings, I'm not familiar that the defendant, the state legislature, is claiming that there is a need for some kind of redistricting due to a racial discrimination on their behalf.

The configuration, Your Honor, granted, does not look overly bizarre at this stage. It looks much better than it did previously when it was put together as Senate plan 330. But, Your Honor, it still does cross into both Pinellas County and into Manatee County. Traditionally the districts that have originated in Hillsborough County have not crossed those lines.

The inference that can be drawn from that, Your Honor, is that there has been a change in plan. The change should be explained. Given the demographics, I think — and I have no evidence of discriminatory intent on behalf of the legislature, but given the demographics and given the picture, Your Honor, I think an inference can be drawn that race has taken over the calculus and is the overriding consideration. That is Senator Davis' concern with this plan, Your Honor. Thank you.

JUDGE MERRYDAY: That it crosses the county line?

[55] MR. BROWN: Yes, Your Honor, that it crosses county lines that traditionally have not been crossed in the districting decision.

JUDGE TJOFLAT: Well, you well agree that in Florida county lines have been crossed frequently?

MR. BROWN: I don't profess to be an expert on that, but I think that is true, Your Honor.

JUDGE MERRYDAY: They must be crossed, mustn't they? There is no way to district the legislature other than by crossing the county lines?

MR. BROWN: Yes, to achieve one person/one vote, but —

JUDGE MERRYDAY: Do you know how many of the 40 districts cross a line?

MR. BROWN: No, Your Honor, I do not.

JUDGE TJOFLAT: But notwithstanding whether they cross lines or not, that wouldn't answer the question whether race has driven the — the overriding factor —

MR. BROWN: It informs the decision, Your Honor. It informs the decision.

JUDGE TJOFLAT: It informs it — well, let's put it this way: Crossing county lines had to happen, either that or it is something that happened before. It just takes one stick away in your circumstantial evidence in this case, I guess.

MR. BROWN: Yes, Your Honor.

[56] JUDGE TJOFLAT: I think we understand your point.

Would anybody else like to object to the proposed plan?

Mr. Hill, would you or any of your colleagues like to respond to —

MR. LANDIS: Your Honor, if I might, I'm the only one that hasn't spoken in favor of the plan.

JUDGE TJOFLAT: I'm sorry, I didn't mean to cut you out.

MR. LANDIS: Certainly I'm satisfied to remain mute until Mr. Lawyer got up.

We join in the defendants in the plan and we believe that the plan is constitutionally drawn. I think the objectors have forgotten one point, and that is the fact that probably the overriding consideration ultimately in this plan was the issue of disruption to third parties.

We started with plan 330, which we contended was illegal under the Fourteenth Amendment. And we ended up with plan 386, which we believe is not, and principally because it created a community of interest, essentially more urban. It does, we think, represent a community of interests, it is more compact, it is contiguous, but, importantly, it did not disrupt many voters.

And the court, the Supreme Court, and the Middle District of Alabama in *White versus State of Alabama*, said the [57] court must consider the impact on third parties. That was the principal reason that we ended up where we ended up. It was not a race-based district. And I don't think the inference can be drawn from any evidence before this court that it was.

And we — again, the plaintiffs, other than Mr. Lawyer, do fully support this plan and hope the court will adopt it.

JUDGE TJOFLAT: Thank you, Mr. Landis.

Mr. Hill, would you or —

MR. HILL: Your Honor, we have nothing further to add.

JUDGE TJOFLAT: Mr. Mulroy?

MR. MULROY: Judge —

JUDGE MERRYDAY: Mr. Mulroy, do you have on those tennis shoes again today?

MR. MULROY: I was hoping you wouldn't even bring that up, Judge. If I were called to the witness stand, I guess I would have to answer that question.

JUDGE TJOFLAT: Put your track shoes on then.

MR. MULROY: Just in case I need to run out of the court quickly.

I don't really have all that much. I think that many of the responses to the arguments made by the objectors have already been made in our pleadings and I would just refer the court to those. I would adopt the comments made by [58] Mr. Landis.

There are a few points made by Mr. Lawyer that as far as I know haven't been addressed. And I'm going to briefly address those and then sit down, if I may.

Mr. Lawyer made a reference to Hispanic population. I just want to point out that it is clear from the evidence in the record that there's no dilution of the Hispanic vote, given the Hispanic concentrations of the Tampa Bay area, in this settlement plan.

Specifically I note that District 21 in plan 386 is 14 percent Hispanic in voting age population. The plan that Mr. Lawyer would

have this court adopt is 17 percent Hispanic in voting age population. I don't think that a three-percentage point difference constitutes any kind of a legal dilution of Hispanic voting strength.

JUDGE TJOFLAT: What was the percentage of — in 330 of Hispanic; do you remember?

MR. MULROY: Yes. It was very similar to — 9 percent.

JUDGE TJOFLAT: 9 percent. So it has gone from 9 in 330 to 14 in 386?

MR. MULROY: Yes. That's correct.

There has been some discussion about the De Grandy case. I just want to clarify for the court, and the court is probably more familiar with the case than I am and I don't [59] think I need to do this, but the Supreme Court in De Grandy never established a regional standard for measuring proportionality in a Section 2 case. The court said that it didn't need to reach that question because the plaintiffs had not proven statewide dilution, they hadn't put on a statewide case, so there was no need to address that.

They certainly didn't suggest that there should be some sort of county-based standard, which is what Mr. Lawyer seems to be using in his own analysis. In fact, as I believe Judge Tjoflat you yourself suggested, although there was passing reference in Justice Souter's opinion to the hold, haul and trade language, there was a lot of language in both the majority opinion and Justice O'Connor's concurrence which endorsed the idea that the racial impact should be considered when you are evaluating redistricting plans under the Voting Rights Act. Specifically, the whole idea of proportionality, Justice Souter and O'Connor agreed, was always relevant. Justice O'Connor said courts must always consider it, and that, further, a substantial lack of proportionality is, I believe the exact words were, probative evidence of voter dilution. I just wanted to make sure that the De Grandy case was understood correctly.

And then, finally, as I have previously indicated to — the United States had previously indicated to the court, the statements that Mr. Lawyer continues to quote from by me [60] are statements that were made during mediation sessions —

JUDGE TJOFLAT: Well, the point of the matter is, for the record, is this a Department of Justice plan or was this drawn —

MR. MULROY: This is not a Department of Justice plan. The department did participate in the mediation sessions, but that is the full extent of our involvement. And we only participated —

JUDGE TJOFLAT: The plan emanated in the legislative branch of the state government?

MR. MULROY: Certainly the state parties.

JUDGE TJOFLAT: You don't disagree with anything that Mr. Hill said?

MR. MULROY: No. I adopt what Mr. Hill said. I don't disagree with it.

And, finally, I never said at any point during confidential mediation sessions or otherwise that race was the overriding factor in the configuration of District 21 and plan 386.

And, for the record, we of course — the United States would object to having me testify in this case.

And with that I'll sit down, Judge.

JUDGE TJOFLAT: All right. Any other —

MR. COX: Your Honor, just quickly. Not to belabor the point, but the Smith intervenors would turn the court's [61] attention to a case that was also summarily affirmed, it is called DeWitt v Wilson. It discusses California redistricting. And in that case the court also decided that race was not the sole criteria; in fact, they decided that it's the proper balancing of all the redistricting criteria that Mr. Hill articulated earlier. And in that case the court upheld the congressional plan that was drawn up by the —

JUDGE MERRYDAY: Is that the same case you cited to me earlier?

MR. COX: Exactly.

It also quotes the Special Master's report as well as the Supreme Court decision. And it is part of our pleadings that we have already filed. Thank you.

MR. LAWYER: Your Honor, just for point of clarification, I don't mean to be having quoted Mr. Mulroy as he suggested, so what I —

JUDGE TJOFLAT: I think we have put that matter to rest.

MR. LAWYER: Okay.

JUDGE TJOFLAT: Is there anything further to be heard?

(No response.)

JUDGE TJOFLAT: Given that no one else is to be heard, the court will take this matter under advisement. And we will be in recess.

[62] (Thereupon, these proceedings were adjourned at 11:00 a.m.)

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/ Carol Jacobs
Carol Jacobs

January 30, 1996
- Date

ITEM 7: DISTRICT COURT'S MARCH 19, 1996, ORDER

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ROBERT SCOTT, et al.,

Plaintiffs,

v.

CASE NO. 94-622-CIV-T-23C

THE UNITED STATES DEPARTMENT
OF JUSTICE, et al.,

Defendants.

Before TJOFLAT, Chief Circuit Judge, NIMMONS, District Judge, and
MERRYDAY, District Judge.

FINAL ORDER

MERRYDAY, District Judge:

This action began with a complaint filed on April 4, 1994, in which Robert Scott and others sued the United States Department of Justice and the State of Florida and challenged the configuration of District 21 of Florida's Senate. The court permitted intervention by (1) the Florida Senate; (2) Senator James T. Hargrett, Jr., the incumbent representative of District 21; (3) Moease Smith and others, some of whom are residents and some of whom are non-residents of District 21 but all of whom are African-American or Hispanic individuals with an interest in District 21; and (4) Sandra B. Mortham, Florida's Secretary of State, whose constitutional and statutory responsibility includes the superintendence of Florida's elections.

Florida's House of Representatives sought intervention also but unaccountably declined to announce whether the intervention was in support of, or in opposition to, the current boundaries of Senate District 21. Unable to knowledgeably align the House as a plaintiff or defendant, the court on July 26, 1995, extended to the House the

option to appear at all stages of these proceedings either as a plaintiff, as a defendant, or as *amicus curiae*, or to appear in either of these capacities during only the remedial stage (if District 21 were found unlawful). The House elected to immediately appear *amicus*, keeping its view of District 21 largely to itself. (The House's view of District 21 remains elusive because, after alignment as a defendant, the House filed a largely opaque answer to the complaint. Similarly, an affidavit by Peter Rudy Wallace, Speaker of the House, accompanying the settlement proposal is essentially silent on the legality of District 21.)

The complaint alleges that District 21 "was drawn specifically to encompass members of minority groups with divergent interests residing in several different communities" and "is so irregular that it clearly cannot rationally be understood as anything other than an attempt to segregate the races for purposes of voting." The complaint seeks relief under the Fourteenth Amendment to the United States Constitution and 28 U.S.C. §2412. C. Martin Lawyer, III, is among the plaintiffs who in the initial complaint allege that District 21 is unconstitutional and who seek relief from District 21 as presently drawn. The claims for relief in the complaint require a three-judge panel under 28 U.S.C. §2284(a).

On January 9, 1995, after the parties' exchange of sundry papers and after a subsequent oral argument, the court denied, among others, motions to dismiss and to transfer. Thereafter, a period of inactivity was permitted for the purpose of awaiting decision by the Supreme Court of the United States in two cases of obvious importance to the law governing this controversy. On June 29, 1995, the Supreme Court resolved *Miller v. Johnson*, ___ U.S. ___, 115 S. Ct. 2475, 132 L. Ed. 2d 762 (1995), and *U.S. v. Hays*, ___ U.S. ___, 115 S. Ct. 2431, 132 L. Ed. 2d 635 (1995). On July 6, 1995, the court held a status conference to discuss with the parties and other interested persons both the effect of the Supreme Court's recent decisions and the future course of this litigation.

During the July 6, 1995, hearing, the parties and others responded to inquiries from the court by announcing that they anticipated no spontaneous effort by the State of Florida to alter District 21 in response to *Miller*. All parties suggested that further litigation on the

merits was the probable course. However, speaking on behalf of the Senate, attorney Benjamin H. Hill, III, suggested the possibility of mediation. After receiving the comments of counsel, the court concluded that mediation offered a preferable and feasible alternative to the uncomfortable intervention inherent in federal judicial resolution of issues affecting state government. Mediation began promptly.¹

Consequent upon receipt of the information that the terms of a proposed resolution had congealed, a hearing was held on November 2, 1995, at which the parties and members of the public were present. Florida's House and Senate as well as all other parties (except plaintiff Lawyer) manifested both the authority to consent and actual consent to the terms of the proposed resolution, which includes a modified configuration of District 21. At the November 2 hearing, the court discussed the pretrial statement submitted by the parties. In Exhibit B of the pretrial statement (Exhibit B is entitled "Plaintiff Martin Lawyer's Statement of the Case"), plaintiff Lawyer specifically adopts Exhibit A of the "Statement of the Case" submitted by plaintiff Scott and others. Exhibit A states in part that:

¹ Lawrence G. Mathews, Jr., of Orlando, Florida, was designated by the court as the mediator and was invested with broad discretion to conduct mediation in a manner and among persons determined by him to be necessary and proper to the resolution of the dispute. After some pronounced tribulation among the participants during the mediation, Mr. Mathews was able to report to the court the apparent consensual resolution of this dispute. A hearing was scheduled for September 27, 1995. As of that day, the House was neither a formal party to this action nor in agreement with the proposed resolution and C. Martin Lawyer, III, a plaintiff, asserted objections both to his continuing representation by the law firm of Foley & Lardner and to the putative settlement. At the September 27 hearing, the three-judge panel decided to admit the House as a party and commit the action again to mediation in an effort to effect a plan in which all interested parties concurred. Mediation proceeded and, after some apparently exhaustive sessions, a proposed resolution resulted. The House now concurs with the proposed resolution. C. Martin Lawyer, III, objects to the proposed resolution.

As a result of the Supreme Court's decision in the *Miller* case, there are no issues of law to be decided by the Court in this matter. The instant action is directly analogous to, and therefore controlled by, the *Miller* opinion. Accordingly, the only issue which should remain for the Court to decide at the trial on this matter is the issue of the appropriate remedy.

(Emphasis added.)

Accordingly, the court ruled as follows from the bench:

[I]t seems to me clear beyond peradventure that there is no remaining litigable matter affecting the jurisdiction of the court to proceed to a remedial consideration of this controversy. . . . [T]he issue perhaps then becomes one to be taken up at a fairness hearing

. . . .
[W]e ought simply then to proceed on November the 20th at 9:30 a.m. . . . to resolve the issue of the fairness of this proposed settlement and entertain any objections, including those from the plaintiff Lawyer or others, concerning the details of this district.

On November 20, 1995, the three-judge panel (with Chief Judge Tjoflat presiding) convened a "fairness" hearing to entertain argument from the parties, comments from the public, and any relevant evidence concerning the terms of the proposed resolution. This order emanates from the proceedings on November 20 at which the parties asked this court to authorize a restatement of the boundaries of District 21.

The redrawing of state legislative districts by a federal court presents several issues. The first issue pertinent in this case is the threshold evidence, stipulation, or the like necessary to activate the court's authority under the Fourteenth Amendment to compel the nullification and re-establishment of state legislative boundaries that were established after exhaustion of the procedures contemplated by Florida's constitution and by applicable federal statutes.

At pages 9-11 of the "Brief of the United States in Support of Proposed Settlement," filed on September 26, 1995, and again at pages 1-4 of the "United States' Brief in Support of Settlement

Agreement of November 2, 1995," filed on November 17, 1995, the Attorney General outlines the basis for this court's enforcement of the parties' proposed resolution. Even if none of the cases cited by the Attorney General precisely mirrors the facts of this case, the fortifying principles are indistinguishable. A trial court in a case such as this may exercise authority under the Fourteenth Amendment if, after a careful evaluation of the terms of the proposed resolution and the details of the underlying dispute, the court concludes that the case presents a sufficient evidentiary and legal basis to warrant the *bona fide* intervention of a federal court into matters typically reserved to a state. In that circumstance, the State of Florida, the plaintiffs, and other participants may propose a resolution to this action without a dispositive, specific determination of the controlling constitutional issue. In other words, the State of Florida is at liberty, acting through its lawfully empowered officials, to consent to a legislative districting adjustment if (1) a material constitutional issue exists (that is, if a plausible and fairly contestable legal or factual issue underlies the dispute) and (2) the state prefers to act volitionally to avert both an expensive and protracted contest and the possibility of an adverse and disruptive adjudication.² As Justice O'Connor observes in the context of an employment discrimination case:

The imposition of a requirement that public employers make findings that they have engaged in illegal discrimination before they engage in affirmative action programs would

² In this case, the dissenting plaintiff Lawyer now demands an adjudication that District 21 is composed unconstitutionally. However, the law allows for a consensual remedy in the absence of a public *mea culpa* by a litigant — as well it should. Of course, parties cannot connive to achieve narrow political interests by lodging complaints in a federal court, contriving to "settle" the litigation, and thereby affecting the interests of the public by manipulation of the federal judiciary. It is primarily for that reason that the court has a responsibility to telescopically inspect the controversy and guard against any disingenuous adventures. Among the adventures against which the court serves as a protector is the excessive (even intoxicating) acquisition of effective power over public affairs by a private individual with unspecified motives. In short, a court resolving a governmental or intrinsically public matter cannot act as a hostage to private interests. As stated in

severely undermine public employers' incentive to meet voluntarily their civil rights obligations. This result would clearly be at odds with this Court's and Congress' consistent emphasis on "the value of voluntary efforts to further the objectives of the law." The value of voluntary compliance is doubly important when it is a public employer that acts, both because of the example its voluntary assumption of responsibility sets and because the remediation of governmental discrimination is of unique importance.

....

This conclusion is consistent with our previous decisions recognizing the States' ability to take voluntary race-conscious action to achieve compliance with the law even in the absence of a specific finding of past discrimination. Indeed, our recognition of the responsible state actor's competency to take these steps is assumed in our recognition of the States' constitutional *duty* to take affirmative steps to eliminate the continuing effects of past unconstitutional discrimination.

Wygant v. Jackson Bd. of Education, 476 U.S. 267, 290-91, 106 S.Ct. 1842, 1855-56, 90 L.Ed. 2d 260, 279-80 (1986) (citations omitted)

Sheffield v. Itawamba County Board of Supervisors, 439 F. 2d 35, 36 (5th Cir. 1971):

The appealing plaintiffs have been awarded the very relief they originally prayed for — a court order requiring the Board of Supervisors of Itawamba County to redistrict the county in conformity with legal standards. The appeal is provoked because plaintiffs now prefer that the order require the county to hold elections for the various supervisors' posts on a basis whereby candidates from each presently composed district could run in a county-wide election. *However, having instituted a public lawsuit to secure rectification for a constitutional wrong of wide dimension, they cannot privately determine its destiny.*

(Emphasis added). Plaintiff Lawyer's complaint sought to have the state of Florida replace District 21 with a constitutional district. He got it.

(emphasis in original).³

³ The special concurrence identifies from the motion to approve the settlement a statement that the "defendants 'do not admit liability'." The special concurrence notwithstanding, an expanded recitation from the motion is revealing:

While the defendants and defendant-intervenors do not admit liability, they do admit for the purpose of settlement only that a reasonable factual and legal basis exists for plaintiffs' constitutional claim. . . .

The Settlement Agreement similarly states in paragraphs 2, 3, and 4:

Defendants and defendant-intervenors deny these assertions [of unconstitutionality]. The parties nonetheless do agree, for the purpose of settlement only, that based upon the evidence of record, there is a reasonable factual and legal basis for the plaintiffs' claim. The parties recognize that litigation of plaintiffs' claims will be expensive and time-consuming, and will entail significant risks for both sides, especially because of the unsettled nature of the law in this area. The parties further recognize that litigation of these claims is likely to be protracted, causing an undesirable uncertainty in the electoral process. In order to conserve resources, reduce risk, and obtain certainty and finality in the electoral process, the parties have agreed to resolve this dispute through compromise.

For these reasons, the parties (other than plaintiff Lawyer) entered the resolution. The reservation to which the special concurrence refers arises from the settling parties' concern that the three-judge panel might adopt a remedy materially departing from proposed District 21. If so, the defendants wanted to defend the present plan on the merits. (See transcript of November 2, 1995, at pp. 30-31.)

Each party either states unequivocally that existing District 21 is unconstitutionally configured or concedes, for purposes of settlement, that the plaintiffs have established *prima facie* unconstitutionality. The record contains a sufficient factual and legal basis to validate the conclusion that the plaintiffs' claims are fairly litigable on the merits. The Florida legislature, the governmental body to which redistricting responsibilities are constitutionally delegated, has presented a palpably constitutional remedy. Under these circumstances, no specific adjudication of unconstitutionality is necessary.

The boundaries of current District 21 are markedly uneven and, in some respects, extraordinary (but not without precedent and certainly not the most extraordinary boundaries in Florida's Senate). Some legislators concede that awareness of race was not wholly absent from the formulation of District 21. The record confirms that the racial composition of District 21 is somewhat dissimilar from the racial composition of the larger, encompassing geographical area. These facts acquire controlling significance when evaluated in accord with *Miller*, which states:

Federal court review of districting legislation represents a serious intrusion on the most vital of local functions. It is well settled that "reapportionment is primarily the duty and responsibility of the Senate." Electoral districting is a most difficult subject for legislatures, and so the States must have discretion to exercise the political judgment necessary to balance competing interests. Although race-based decision-making is inherently suspect, until a claimant makes a showing sufficient to support that allegation the good faith of a state legislature must be presumed. The courts, in assessing the sufficiency of a challenge to a districting plan, must be sensitive to the complex interplay of forces that enter a legislature's redistricting calculus. Redistricting legislatures will, for example, almost always be aware of racial demographics; but it does not follow that race predominates in the redistricting process. The distinction between being aware of racial considerations and being motivated by them may be difficult to make. This evidentiary difficulty, together with the

Sound policy commends the majority's approach. The expressed conditions of the Florida legislature's participation in the resolution of this dispute include both (1) acceptance by the court of the adequacy of the *prima facie* legal standard (supported by the Department of Justice) and (2) adoption of a remedy not materially at variance from Plan 386. We are persuaded by Chief Judge Parker's opinion in *Moch v. East Baton Rouge Parish School Bd.*, 533 F. Supp. 556 (M.D. La. 1980), especially his insightful observation that "[i]f public bodies must admit guilt in order to settle [voting rights] cases, then settlements are going to be few and far between."

sensitive nature of redistricting and the presumption of good faith that must be accorded legislative enactments, requires courts to exercise extraordinary caution in adjudicating claims that a state has drawn district lines on the basis of race. The plaintiff's burden is to show, either through circumstantial evidence of a district's shape and demographics or more direct evidence going to legislative purpose, that race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district. To make this showing, a plaintiff must prove that the legislature subordinated traditional race-neutral districting principles, including but not limited to compactness, contiguity, respect for political subdivisions or communities defined by actual shared interests, to racial considerations. Where these or other race-neutral considerations are the basis for redistricting legislation, and are not subordinated to race, a state can "defeat a claim that a district has been gerrymandered on racial lines."

Miller v. Johnson, ___ U.S. ___, ___, 115 S.Ct. 2475, 2488, 132 L.Ed. 2d 762, ___ (1995).

Measured against the standard prescribed by *Miller*, the pleadings and other papers in this case present a *bona fide*, justiciable, and fairly contestable dispute, which implicates important governmental interests and which the parties are at liberty to settle without risk of offense against the integrity of either the state's discretion in legislative districting or the federal court's authority attendant to the Fourteenth Amendment. In response to the dispute, the parties present for consideration a newly defined District 21, which is designated by the parties as Plan 386.

Miller directs that the governing constitutional issue includes due deference to both the ponderous task of legislative districting as well as to the wholesome consideration by publicly elected representatives of the meaning and definition of a community, i.e., a community of persons and a community of interests, both of which are evolving and only imprecisely measurable. The issue of community presents itself most prominently in this case because part of proposed District 21 is physically separated by a natural geological and geographical

peculiarity (Tampa Bay) from the balance of the proposed district and because more than one county is included in proposed District 21.

Describing the notion of community is a stubborn problem. Viewed optimistically, a community is definable as individuals who sense among themselves a cohesiveness that they regard as prevailing over their cohesiveness with others. This cohesiveness may arise from numerous sources, both manifest and obscure, that include geography (which, as in this case with the politically inconvenient expanse of the waters of Tampa Bay, is often uneven and intrusive in its boundaries), history, tradition, religion, race, ethnicity, economics, and every other conceivable combination of chance, circumstance, time, and place. (Given the persistent disharmony among us, a community is perhaps more grimly definable as an array of persons who prefer disagreement among themselves to disagreement with others.) In any event, a community is based finally and unappealably on the society and consent of its members, both of which are known best by the community's members. A community is exactly what a community believes itself to be. A community is — using the term “political” in the salutary sense — a political fact that candidates should study, officeholders must remember, and districting authorities should insinuate into their designs.

A constitutional and commendable factor in assessing the propriety of a legislative district is the society and consent of the members of that district and, to the extent applicable, of any included community. This is, after all, a republic, which implies a right in the people to accomplish their collective will and an obligation in the government to honor that will if the organic law permits. Therefore, notwithstanding the political aspirations of some or the schemes of others for improving the state of public affairs, the society and consent of a body politic comprising a community is a factor prominent among those factors that a court ought to evaluate in adopting a plan for redistricting. (This is not to say that the Constitution requires quiet contentment among every constituency. That may be unachievable. However, in searching for some unconstitutional iniquity, the consent or opposition of those touched by a matter is certainly a rational consideration.)

The Constitution neither prohibits the existence of a legislative district comprising the residents of a single community nor requires the dissection of a community because the community's residents are identifiable by some common bond, such as ethnicity, race, or religion. The Constitution does not forbid the combination or agglomeration of communities. The Constitution neither requires nor forbids districts contained in a single county (an impossibility in Florida). In fact, the Constitution does not and could not require any particular district — that notion is preposterous. The Constitution presumes to prescribe very few details. It suffices to say that the Constitution forbids districting motivated and dominated by the single-minded focus on a prohibited criterion, which in this case the plaintiffs allege is race.

Therefore, the conclusion is obvious that the plaintiffs sufficiently allege a cognizable, constitutional dispute concerning present District 21, which bears at least some of the conspicuous signs of a racially conscious contrivance. On the other hand, it is equally obvious that a cognizable, constitutional objection to the proposed District 21 is not established. In its shape and composition, proposed District 21 is, all said and done, demonstrably benign and satisfactorily tidy, especially given the prevailing geography.

The composition of District 21 has excited public discussion for many months. The news media have dispersed the story. The politicians have expostulated both locally and statewide. In contrast to the tradition arising from disputes among parties with only their discrete interests at stake, the mediation of this public dispute, which involves the public interest, has occurred in the light of public observation. All interested and willing persons have availed themselves of the opportunity to speak. Several court hearings have occurred. Most importantly, notice of the November 20 hearing on the terms of the proposed resolution was widely published and the details of the proposed resolution were published, generally known, and available in original and detailed form in the office of the clerk of this court. After public announcements and discussions, which included a dose of conspicuous disagreement among certain observers, the November 20 hearing produced but two dissenters, plaintiff Lawyer and a former state Senator, both of whom neither presented relevant evidence nor offered germane legal argument.

Except for Lawyer, no resident of District 21 arose to object, despite Chief Judge Tjoflat's open invitation. Both common sense and the history of this litigation suggest that the residents of District 21 regard themselves as a community and experience considerable comfort with the proposed resolution. (Remarkably, even plaintiff Lawyer in his deposition attests to his contentment with the representation of Senator James Hargrett, the incumbent in District 21.)

Although the court notes the presumptive consent of the residents of District 21 to the terms of the proposed resolution, the governing fact remains that districting is a legislative function of the state, which yields to the federal courts only upon the identification of a constitutional defect (or perhaps in statutory matters not pertinent here). The federal courts are not constituted or authorized to determine (assuming hypothetically that judges possess the requisite wisdom) the best possible district for each place (assuming hypothetically that a "best possible district" exists). If jurisdiction is properly invoked, as in this case, the limited role of a federal court is to ascertain whether the legislatively described district is among that boundless number of possible and constitutional districts and not among the equally boundless number of possible and unconstitutional districts. The court approaches this formidable task with caution and sincere deference to legislative discretion.

Foremost among the factors commending the proposed resolution in this action is the consent of Florida's Senate and House, as well as the preclearance of the United States Department of Justice and the concurrence of Florida's Attorney General and Secretary of State. While assisted tellingly by mediation, proposed District 21, like present District 21, is primarily a legislative action and is advanced to this stage by this court preeminently for that reason. Section 16(a) of Article III of Florida's constitution provides that the legislature by joint resolution shall periodically reapportion itself. Absent an offense against the Constitution, this court necessarily respects the will of the legislature as manifested in this instance by the consent of both the President of Florida's Senate and the Speaker of Florida's House of Representatives.

Happily, there is much to commend the legislative solution expressed by the boundaries of proposed District 21 (Plan 386). Plan

386 is racially less recognizable and distinctive than present District 21, which is to say that Plan 386 reduces the percentage of minority constituents and more closely approximates the racial features of the larger geographic region surrounding Tampa Bay. The boundaries of Plan 386 are less strained and irregular than present District 21. An observant and informed analyst of Plan 386 is not startled or impelled toward incredulity by the proposed district's configuration or composition. But most importantly, Plan 386 offers to any candidate, without regard to race, the opportunity to seek elective office and both a fair chance to win and the usual risk of defeat — neither of which is properly coerced or precluded by the state, the court, or the Constitution. Candidates should compete and either win or lose based on their talent, their good fortune, and their views. Nothing about Plan 386 is determinative of an electoral outcome — because of race or otherwise.

These perspectives, distilled from the record, are an encapsulated view by the court of the apparent wisdom of Plan 386. However, the legislature's view (not this court's view) of the wisdom of Plan 386 controls (absent a constitutional infirmity). The legislature makes the pertinent choice and the legislature has chosen Plan 386.

The court's limited review of Plan 386 concludes with approval — constitutional approval arising from applicable precedent and practical approval arising from an appreciation of the considerable legislative achievement writ large in Plan 386. Stated differently, considered both afresh and in light of the Supreme Court's long history of apportionment decisions, particularly since *Baker v. Carr*, 369 U.S. 186, 82 S.Ct. 691, 7 L. Ed. 2d 663 (1962), Plan 386 passes any pertinent test of constitutionality and fairness.

For the reasons expressed, the court adjudges as follows:⁴

⁴ Because plaintiff Lawyer objects to Plan 386 (as well as to present District 21), this Final Order is not a typical, plenary consent decree that disposes of all aspects of liability and remedy by consent. Rather, it is in the nature of a hybrid consent decree that disposes of liability by consent and affords a remedy resulting from a partial settlement and an adversary hearing similar to a fairness hearing. Judge Rubin discusses hybrid consent decrees in *United States v. City of Miami, Fla.*, 664 F. 2d 435 (5th Cir.

(1) The "Joint Motion to Approve Settlement" (Doc. 185) is GRANTED.

(2) All other pending motions are DENIED.

(3) Districts 13, 17, 19, 21, 22, and 23 are modified and redistricted, effective immediately, in accordance with the description, which is incorporated by reference into this order, appearing at Tab 14 of Exhibit 1 to the "Notice of Filing Declarations and Affidavits in Support of Settlement Agreement of November 2, 1995" (Doc. 188).

(4) The court retains jurisdiction pending further order for the limited purpose of assessing attorneys' fees and costs, if any.

ORDERED in Tampa, Florida, on March 19th, 1996.

FOR THE PANEL:

/s/ Steven D. Merryday

Steven D. Merryday

UNITED STATES DISTRICT JUDGE

TJOFLAT, Chief Circuit Judge, specially concurring:

I concur in the court's judgment incorporating as a remedy the redistricting plan for Senate District 21 proposed by the Florida legislature because I am convinced of two things. First, District 21, as presently drawn, is the product of racial gerrymandering and thus cannot be squared with the Equal Protection Clause of the Fourteenth Amendment. See *Miller v. Johnson*, ___ U.S. ___, 115 S. Ct. 2475, 132 L. Ed. 2d 762 (1995); *Shaw v. Reno*, ___ U.S. ___, 113 S. Ct. 2816, 125 L. Ed. 2d 511 (1993). Second, the legislature's proposed remedy is constitutional.

The majority believes that we can enter a final judgment in this case without deciding the threshold constitutional issue because (1) the defendants concede in their Joint Motion to Approve Settlement that "a reasonable factual and legal basis exists for plaintiffs' constitutional claim," i.e., a *prima facie* claim exists, and (2) the defen-

1981)(en blanc). See generally *Manual for Complex Litigation 3d.*, §§23.14 and 23.21 (1995).

dants have agreed that the remedy the court adopts today is constitutional. The majority ignores the fact that, in their Joint Motion to Approve Settlement, the state defendants insist that they "do not admit liability."

As the majority acknowledges, the judgment the court enters today is not a consent judgment. See *White v. Alabama*, 74 F. 3d 1058, 1073-74 (11th Cir. 1996). It therefore follows that, to enter the judgment in question, the court must find that District 21 is unconstitutional.¹ The court can do this without such a finding only if it treats the state defendants' Joint Motion as conceding the issue of liability. Obviously, in the face of the explicit denial quoted above, the court cannot do that.²

I would resolve the issue of District 21's constitutionality on the record before us. The state defendants readily acknowledge the existence of a *prima facie* case of liability, and they have expressed no desire to contest this point by rebutting the plaintiffs' case. In short, the evidence in this case has been closed. It is as if we have held a bench trial and taken the case under submission. Accordingly, were I writing for the majority, I would find that District 21 is the product of racial gerrymandering in violation of the Equal Protection Clause.

With respect to the remedy that this court should then impose, I subscribe in full to the majority's conclusion that the redistricting plan that the Florida legislature has proposed, and that we adopt today, is constitutional. I therefore concur in the court's final order.

¹ A reader of the majority's order might conclude that my view has changed since the hearing held in this case on November 2, 1995. Such is not the case. I did not participate in the November 2 hearing; that hearing was presided over by Judge Merryday sitting alone.

² The majority seems to read the settlement papers as containing the requisite concession of liability. See *ante* at 9 n. 3. I do not agree with such a reading.